

Mr. ROBINSON of Arkansas. Mr. President, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The VICE PRESIDENT. The motion to take a recess has precedence. The question is on the motion of the Senator from Arkansas that the Senate take a recess until 12 o'clock noon to-morrow. [Putting the question.] The Chair is in doubt.

Mr. McNARY. I demand the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent to make a brief statement.

The VICE PRESIDENT. Without objection, the Senator from Arkansas is recognized.

Mr. ROBINSON of Arkansas. I have just been advised that during the day a Member of the House of Representatives has departed this life and that it is desired by the senior Senator from Texas [Mr. SHEPPARD] to present a resolution in connection with the death of the Member of the House. I ask unanimous consent that all proceedings on the motion of both the Senator from Oregon and the Senator from Arkansas be vacated in order that that may be done.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. McNARY. Mr. President, in view of the statement made by the Senator from Arkansas that a recess is desired out of respect to the memory of the deceased Congressman, in order that we may take such a recess I shall not persist in my motion for an executive session; but I give notice now that to-morrow at the very earliest opportunity I shall renew my motion that the Senate proceed to the consideration of executive business.

Mr. ROBINSON of Arkansas. Mr. President, in view of the notice given by the Senator from Oregon, I think I should feel at liberty to give notice that I shall resist to the fullest extent the motion which the Senator from Oregon has given notice he will make.

Mr. HAWES and Mr. CUTTING submitted an amendment intended to be proposed by them to the pending bill, which was ordered to lie on the table and to be printed.

#### DEATH OF REPRESENTATIVE GARRETT, OF TEXAS

Mr. SHEPPARD. Mr. President, it becomes my sad duty to announce the death of Hon. DANIEL E. GARRETT, a Representative from the State of Texas. At a later time I shall ask the Senate to pay fitting tribute to his memory. At the present time I offer the resolutions which I send to the desk, and ask unanimous consent for their immediate consideration.

The resolutions (S. Res. 304) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. DANIEL E. GARRETT, late a Representative from the State of Texas.

*Resolved*, That a committee of nine Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolution the Vice President appointed as the committee on the part of the Senate the senior Senator from Texas [Mr. SHEPPARD], the junior Senator from Texas [Mr. CONNALLY], the senior Senator from North Dakota [Mr. FRAZIER], the senior Senator from Minnesota [Mr. SHIPSTEAD], the senior Senator from New Mexico [Mr. BRATTON], the junior Senator from Minnesota [Mr. SCHALL], the senior Senator from Kentucky [Mr. BARKLEY], the junior Senator from Georgia [Mr. COHEN], and the junior Senator from North Carolina [Mr. REYNOLDS].

Mr. SHEPPARD. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now take a recess until to-morrow at 12 o'clock meridian.

#### RECESS

The motion was unanimously agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, December 14, 1932, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

TUESDAY, DECEMBER 13, 1932

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Strong Son of God, Thou who art the fountain of life and the light of the world, we turn again to Thee. We pray for the blessing of Thy truth and wisdom. Our natures are not stiffened into permanence; they are open to receive the divine urge. We pray for the supremely blessed agencies of life. Do Thou endow us for the wisest possible service for our country. Thy merciful arm is not shortened nor is Thine ear closed; do Thou harken and heed our prayer. Our yearning spirits, our lasting hopes, our quivering faith in silence look up to Thee. This day be with us and make the conquest complete and victorious. Bless all hearthstones where human hearts are crushed and where love lies bleeding because of sorrow, failure, and disappointment. O be with them all as the angel of consolation. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 503. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1932, on the 20th day of that month.

#### GOVERNMENT COMPETITION WITH PRIVATE ENTERPRISE

Mr. POUL. Mr. Speaker, I call up House Resolution 312 and ask its immediate consideration.

The Clerk read the resolution (H. Res. 312), as follows:

*Resolved*, That the special committee appointed pursuant to the authority of House Resolution 235 for the purpose of investigating Government competition with private enterprise shall report to the House not later than January 25, 1933, in lieu of December 15, 1932, the date specified in such resolution.

The resolution was agreed to.

#### TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. BANKHEAD. Mr. Speaker, I call up House Resolution 314.

The Clerk read the resolution, as follows:

*Resolved*, That in the consideration of the bill H. R. 13520 all points of order on sections 2 to 8, both inclusive, shall be considered as waived.

Mr. BANKHEAD. Mr. Speaker, does the gentleman from Indiana desire to make some agreement with reference to debate on this resolution?

Mr. PURNELL. I would like to have 10 minutes in order to yield to the gentleman from New York [Mr. LaGUARDIA], who has requested that time.

Mr. BANKHEAD. We will be willing to yield the gentleman such time as he may desire of the usual 20 minutes.

Mr. PURNELL. I only have a request for 10 minutes to yield to the gentleman from New York [Mr. LaGUARDIA]. We are not opposing the resolution.

Mr. BANKHEAD. We will be glad to yield the gentleman that time.

I ask for recognition, Mr. Speaker.

The SPEAKER. The gentleman from Alabama.

Mr. BANKHEAD. Mr. Speaker, I think it is probable that the entire membership may be familiar with the purposes and origin of the request for this rule. It will be recalled when we first began consideration of the pending bill that the chairman of the committee, the gentleman from Ten-

nessee [Mr. BYRNS], submitted a unanimous-consent request, that points of order involved in these sections covered by this resolution, might be waived, which was objected to by the gentleman from New York [Mr. LaGUARDIA]. The chairman of the committee then, carrying out the judgment of the full Committee on Appropriations, requested the Committee on Rules to bring forward the resolution which is now pending.

As you will note, it is a very brief resolution in its provisions. The only purpose of it is to make in order the provisions of sections 2 to 8 of the pending bill, without the interposition of a point of order. In other words, if the rule is adopted, no points of order can be made against those sections of the bill, upon the ground that they are legislation, or otherwise.

I am not familiar with all of the provisions of these sections, but as was stated by the gentleman from Tennessee upon the floor on yesterday, in answer to an inquiry from myself, in the main the purpose of seeking this rule was to make in order provisions of this bill which simply carry into effect the general purposes of the furlough plan and the economy bill, which were carried in legislation last year. Of course, the adoption of this rule will not prevent the offering of any germane amendment or the full consideration of the merits of those sections which are covered by this rule.

As I stated, it is merely a rule waiving the usual points of order.

I might say in this connection that, as a general proposition, personally I do not favor this character of rule. I think that the reservation, under the rules, of points of order against pending appropriation bills is a great protection to the Treasury and sometimes to the views of Members upon the floor of the House, but inasmuch as this rule was requested by both sides of the Committee on Appropriations, and in view of the facts stated, that it merely sought no new legislation, but in substance carried out the provisions of existing law, it was the opinion of the Committee on Rules that the resolution was justified.

Mr. MAPES. Will the gentleman yield?

Mr. BANKHEAD. I will be glad to yield to the gentleman from Michigan.

Mr. MAPES. I would like the attention of the chairman of the Committee on Appropriations. As I understand it, the appropriation bill now before the House does not continue one provision of the economy legislation passed in the last session of this Congress, and that is the provision which prohibited the filling of any vacancies during this fiscal year without an express order of the President that it was necessary to do so. My understanding of the legislation is that that provision is not continued, and I wonder if the gentleman could tell us what changed situation justified the omission of it. As I recall the debate now, the chairman of the Committee on Appropriations was very insistent that that provision be incorporated in the economy legislation in the last session of Congress.

Mr. BANKHEAD. In answer to the gentleman's inquiry, as I stated, I am not personally familiar with all the details of the bill, and if the gentleman from Tennessee, the chairman of the committee, sees fit to answer the inquiry I will yield to him for that purpose.

Mr. BYRNS. I will state that the gentleman from Michigan is correct in so far as his statement is concerned as to the elimination of the necessity for the President to approve the filling of vacancies. That was eliminated for several reasons. In the first place, the President in his Budget and in his message, which the gentleman will recall, and also through the Director of the Budget, his personal representative, when he appeared before the committee, very strongly urged that that be done. There is reason for eliminating it next year that did not exist this year. We have reduced all appropriations to take care of those vacancies which occur this year, and which are not to be filled; reducing the appropriations, as I say, to the extent of the amount necessary to carry those vacancies.

Now, it was insisted that with the very few vacancies that did exist that would be necessary to fill this next year the

heads of the departments could handle it. The President in his statement, if the gentleman will read his message, said that this will relieve the President of the duty and place it on the heads of departments, where it has rested in the past.

Mr. MAPES. The gentleman perhaps will recall that I opposed that proposition in the economy legislation.

Mr. BYRNS. I recall the opposition of the gentleman and also my very strong insistence upon its being adopted.

Mr. MAPES. I wondered if the fact that there was to be a new administration after the 4th of March influenced the committee in any way to leave it out now?

Mr. BYRNS. I think I can truthfully say to the gentleman that it had no effect because it was a unanimous report. As I say, these vacancies will have been taken care of by July 1, and then such vacancies as may occur next year will be dealt with as the situations arise. It may be that it will not be necessary to fill some of them. That will depend upon the condition existing in the particular service.

Mr. MAPES. Personally, I think the responsibility ought to be left to the heads of the departments, but the spirit of the legislation might well be kept in mind by them in filling vacancies, particularly if the statement of the gentleman from Indiana yesterday on the floor is true, that the departments are greatly overmanned.

Mr. BANKHEAD. I will say to the gentleman I can not yield my time indefinitely; my time is limited. I hope his inquiry has been satisfied.

I now yield to the gentleman from Ohio.

Mr. HARLAN. Do I understand it was the intention of the Rules Committee, in reporting this resolution, that it shall only apply to sections 2 to 8 as presently stated and shall not apply to any amendments to those sections which may be offered from the floor?

Mr. BANKHEAD. I will say to the gentleman it applies only to the text of the bill as now presented.

Mr. HARLAN. As now stated. Is that to be the rule?

Mr. BANKHEAD. That was the intention of the Committee on Rules in reporting the resolution. We could not anticipate, of course, any amendment that might be offered by the Committee on Appropriations. This rule merely applies to the text of the bill as now presented.

Mr. HARLAN. Mr. Speaker—

Mr. BANKHEAD. Does the gentleman desire me to yield further?

Mr. HARLAN. If the gentleman will permit, I would like to submit a parliamentary inquiry in order that we may be sure about this point.

Mr. BANKHEAD. I yield to the gentleman for that purpose.

Mr. HARLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARLAN. The inquiry is whether the resolution as applied to sections 2 to 8 will not be construed as applying to any amendments to sections 2 to 8 that may be offered from the floor.

The SPEAKER. This rule applies only to the provisions of the bill and does not apply to the amendments.

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from Connecticut.

Mr. GOSS. Does the gentleman realize that by including section 8 of the bill—that if that section is left in the bill—it will have the effect of reducing the pay of enlisted men in the Army, Navy, Marine Corps, Coast and Geodetic Survey by 12 per cent?

Mr. BANKHEAD. I will say that in presenting this resolution I am not interested in the results that might follow the adoption of the section the gentleman speaks of. We are now merely discussing the question as to whether points of order shall be waived.

Mr. GOSS. Does the gentleman know, or will the gentleman yield to the chairman of the committee to answer that question at this time?

Mr. BANKHEAD. If it will not take too much time. I promised to yield 10 minutes to the gentleman from New York [Mr. BOYLAN].



Mr. BYRNS. I think I can answer the question very briefly by stating that it does not in any sense reduce the enlisted pay of any member of the Army, Navy, Marine Corps, or Coast Guard. It cuts out a bonus.

Mr. GOSS. It eliminates the reenlistment pay.

Mr. BYRNS. It eliminates the reenlistment bonus.

Mr. GOSS. That is considered as pay.

Mr. BYRNS. It has been paid in recent years on reenlistment to a man whose enlistment has expired and who reenlists in three months. This section does not cut down the enlistment pay.

Mr. GOSS. As the gentleman knows, the reenlistment bonus has always been considered as part of the pay.

Mr. BYRNS. No, it is not. It is simply an inducement, I suppose, to get them to reenlist. It is a bonus, pure and simple, and not a part of their enlistment pay.

Mr. BANKHEAD. Mr. Speaker, I would like the gentleman from Indiana to yield time to the gentleman from New York at this point.

Mr. PURNELL. Mr. Speaker, I understand the gentleman has yielded 15 minutes. I merely want to concur in the statement made by the gentleman from Alabama to the effect this rule was requested by Members from both sides of the Committee on Appropriations.

The gentleman from New York [Mr. LaGuardia] objected to the unanimous-consent request yesterday and has asked for 10 minutes. I am pleased to yield him 10 minutes.

Mr. LaGuardia. Mr. Speaker, I objected to the request made yesterday, a most unusual request, for the waiver of all points of order to the sections included in this resolution.

I am opposed to the resolution.

I am sorry I can not join this pleasant party of unanimity and that I must be, perhaps, in a sole minority.

SEVERAL MEMBERS. Oh, no.

Mr. LaGuardia. Perhaps my life would be happier if I could join with the majority from time to time, but I just can not do it when the majority is wrong. The majority is wrong in this instance.

Now, Mr. Speaker, the purpose of this resolution does violence to orderly parliamentary procedure. It will be remembered that there was a time when the appropriations were brought in by the regular committees with the exception of the appropriation for the Treasury Department and coast defense, which was brought in from the Committee on Appropriations. When we adopted the Budget system, jurisdiction of all appropriations was given to the Committee on Appropriations and the membership was enlarged. However, it was distinctly understood that that committee would have no legislative jurisdiction and would be given no legislative function.

The gentleman from Alabama [Mr. Bankhead] made a frank statement, as he always does, and said that ordinarily he would not approve of this procedure, and I want to say to the gentleman from Alabama that there is no justification for it in this instance. All the justification, reason, logic, or necessity for this rule may be found in the committee's report, and I want to read it:

The Committee on Rules, having had under consideration House Resolution 314, reports the same to the House with the recommendation that the resolution do pass.

[Laughter.]

That is all there is to that. I submit that this House ought to know by the adoption of this resolution it is waiving one of the most important rules of this House and the only protection of the membership of the House from encroachment by the Committee on Appropriations on legislative functions. We must not permit any emergency to destroy representative government.

This is not a matter of slight importance. The question of the reduction of salary affects hundreds of thousands of families, and in many instances the very happiness and decent existence of those families.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. LaGuardia. I yield for a question. I have only 10 minutes.

Mr. FITZPATRICK. If this rule is adopted it means, does it not, that men receiving \$7 or \$10 a week will be cut 8½ per cent?

Mr. LaGuardia. Yes. I sincerely hope that the gentleman from Tennessee [Mr. Byrns] and the gentleman from Indiana [Mr. Wood] will realize the necessity of at least correcting the blunder and the incompetency of Congress in drafting a proper bill when it has so clumsily, unscientifically, and sloppily drafted the economy bill that reductions are made on salaries of \$7 and \$10 a week referred to by the gentleman from New York [Mr. Fitzpatrick], and there is not a man in the House who will stand up and say he is in favor of such reductions.

Now, what is going to happen? The provisions of sections 2 to 8 go to the very crux of this question and are subject to a point of order, and the membership of this House ought to have the right to invoke the rules of the House to strike them from the bill and let the appropriate legislative committee come in and assume the responsibility for carrying on this reduction.

Mr. MAY. Will the gentleman yield?

Mr. LaGuardia. For just a question; yes.

Mr. MAY. Will the passage of this rule disarm the membership of the House from making such points of order?

Mr. LaGuardia. Oh, yes; all points of order are just thrown overboard. There must be some reason for this which the Committee on Rules has not given us. There must be some reason that the Committee on Appropriations has not given us.

First, I want to say this—and I say it in all kindness—the omission pointed out by the gentleman from Michigan [Mr. Mapes] certainly leaves the majority party open to the charge of distorting civil service law for the spoils system, because the safeguards placed in the former economy bill, under the guise of economy, have been taken away.

I want to also point out to the gentleman from Indiana [Mr. Wood], who yesterday stood up here and said there were 5,000 employees of the Government service that are superfluous and unnecessary, that since 1920 the gentleman's party has been in power, and when he makes that charge he makes a most serious charge against his own party, and the gentleman has been chairman of the Committee on Appropriations a great part of this time. I do not believe there are such superfluous employees.

I also want to call your attention to another thing you are doing here in section 5. You are really delegating the legislative powers of Congress to control appropriations to an administrative officer, the Director of the Budget. Just look at section 5, by which you are now asked to vote away your rights to raise points of order. This section provides:

Sec. 5. Each permanent specific appropriation available during the fiscal year ending July 30, 1934, is hereby reduced for that fiscal year by such estimated amount as the Director of the Bureau of the Budget may determine will be equivalent to the savings that will be effected in such appropriation by reason of the application of the sections enumerated in section 4 of this act.

Why, gentlemen, this is simply taking your powers of controlling appropriations or of saying what shall be expended and what shall not be expended and turning them over to the Director of the Budget, an administrative officer. This authority is more than a mere ministerial duty. It is more than a mere mathematical calculation—it is the power to fix appropriations, and as to that, gentlemen, we are asked to waive our right to strike it out on a point of order, because it has no business in an appropriation bill. The only way we could do this is by the appropriate committee's bringing in a bill, with opportunity to discuss it on its merits apart from any other proposition. [Applause.]

I want to warn some of my colleagues that for years and years we have been fighting all attempts to prevent free expression on the floor of this House and freedom of action on the floor of this House, and here, by one sweep, you are establishing a precedent and taking from the House its real power, originally intended when the Constitution was drafted—that the House of Representatives would be in absolute control of all appropriations. [Applause.]

[Here the gavel fell.]

Mr. PURNELL. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, I can not believe that the Appropriations Committee intends the action which will certainly be taken if section 5 of this appropriation bill is carried into effect. The appropriations carried deduct the entire amount involved in the provisions of the economy bill, and yet under section 5 I am certain that the same amount will be again deducted. We will have these deductions, or so-called economies, subtracted from the amounts which are carried in the bill. I would like to have an expression from the chairman of the Appropriations Committee as to his understanding of section 5.

Mr. BYRNS. I may say to my friend that I think he is totally mistaken in his conception of what this section means. It does not refer to any appropriation in this bill and relates to permanent specific appropriations which are not carried in this bill, and therefore there is no reduction made of the items of the bill. Unless some provision like this is adopted we will have the anomaly of reducing most of the appropriations and not reducing these permanent funds. If you are going to reduce the others, these ought to be reduced also.

Mr. KELLY of Pennsylvania. Mr. Speaker, if the gentleman will refer to the wording of the section itself he will see that it only involves amounts that are covered in the sections enumerated in section 4 of the act. Those particular sections of the economy act do not deal with permanent appropriations. They are all temporary appropriations. There can be no doubt that the Comptroller General, when he comes to rule on this section, will rule that Congress has specifically ordered a further deduction of the entire amount of the economy act provisions from the amounts provided in this bill.

Mr. BYRNS. If my friend will examine this a little closer, he will see that it only applies to permanent appropriations.

Mr. KELLY. Will the gentleman object to making it certain that there will be no double deduction?

Mr. BYRNS. I think it is certain already.

Mr. KELLY. I feel certain my friend does not desire the action which is likely to result from this section. It should be made clear that the reductions due to furloughs and other provisions of the economy act are already calculated in these appropriations. Further reductions should be made impossible, and it will take a clarifying amendment to do it. I hope such needed action will be taken if this section is made in order by the rule.

Mr. BANKHEAD. Mr. Speaker, I yield the remainder of my time, 10 minutes, to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Speaker, I do not think we should tie our hands by the adoption of this drastic rule. Both parties are on record on this question. In that connection, I would like to read to you a letter from the Republican National Committee and headed "Labor Bureau, William L. Hutcheson, Director," to Frank J. Coleman, secretary, Washington, D. C., Central Labor Union. It is as follows:

CHICAGO, ILL., September 6, 1932.

MR. FRANK J. COLEMAN,  
Secretary Washington (D. C.) Central Labor Union,  
Washington, D. C.

DEAR SIR AND BROTHER: The following letter has just been received from Representative WILLIAM R. WOOD, of Indiana, which is self-explanatory and should answer your query of August 26 addressed to Mr. Hutcheson, director of the labor bureau:

"I have just received your letter of August 29, in which you state that you have received a communication from Mr. Frank J. Coleman, secretary of the Washington (D. C.) Central Labor Union, wherein he states that there appeared in the press recently a statement made by me that the Republican Party would favor further reductions in wages and working conditions of Government employees in the next Congress, etc.

"In reply permit me to say that the only statement that I have ever made with reference to further reduction of salaries was in answer to a query made by some young lady press reporter here in Washington. I told her that positively, if times got better, there would be no further reduction, and that automatically at the end of the fiscal year 1933 the old wages of Federal employees would be restored. At no time have I expressed a wish or desire

to reduce the working conditions of the employees of the United States Government.

"Trusting that this is a satisfactory answer, I am, with very great respect,"

Very truly yours,

S. P. MEADOWS, Assistant.

Now I will read a letter from the Democratic National Campaign Committee, addressed to "J. H. Cookman, chairman executive committee, Washington Central Labor Union." It is as follows:

J. H. COOKMAN,  
Chairman Executive Committee,  
Washington Central Labor Union,  
Washington, D. C.

DEAR SIR AND BROTHER: Thank you for sending me copy of the letter that Secretary Coleman sent me some time ago. For your information, I want you to know that up to this moment we have never received the original communication. I do not blame Mr. Coleman for this. The letter may have been lost in transit, but I am sure it did not arrive at the Democratic headquarters because we have searched everywhere for it.

I was very much disturbed because I did not receive the letter from Mr. Coleman and the first intimation I had that I was requested to do something was when the clipping bureau supplied me with the publicity that was given in the Washington Star.

I want to assure you and the delegates to the Washington Central Labor Union that this bureau will cooperate with your body to the fullest extent. In fact, I invite you to submit to us at any time anything that you think we can be helpful to you in.

Congressman McDUFFIE, of Alabama, was interviewed and he said:

"Nobody regrets more than I that the Economy Committee had to insist on reduction in wages for Federal employees. I want to assure you as soon as the affairs of the Federal Government will warrant it, I will be in favor of restoring these wages."

Yours respectfully,

DANIEL J. TOBIN, Chairman.

Now, there we have both parties committed against further cuts or existing cuts and for the restoration of the 8½ cut in the 1934 bill.

I forgot to say that these letters were dated before the election. [Laughter.] The letter from the Republican National Committee is dated Chicago, September 6, 1932, and the letter from the national campaign committee is dated New York, September 28, 1932.

Of course, the mere fact that they had an election in the meantime will not have any effect on these views. These gentlemen will certainly be bound by their own statements. Otherwise, I can not conceive of any leader of any party not living up to their precampaign promises.

Now, to the mind of the average taxpayer there is just one method open for the reduction of the cost of Government, and that is to reduce the salaries of Federal employees, and this notwithstanding the fact that official figures recently furnished the Taxpayers' Economy League show that the cost of city and State governments have increased 76 per cent in the last 10 years, as against a 14 per cent increase in the cost of Federal Government.

Furthermore, we are witnessing these days a great deal of hysteria about the cost of government. It at times almost approaches the point of mass insanity. The depression is preying on the minds of men almost like the knowledge of a fire preys upon the minds of the occupants of a burning house. They are throwing sober thinking to the winds. They are forgetting that the work of the Government must go on, and that if all of the Government executives and employees were fired there would still be a tremendous governmental expense to be borne, and that it requires training and experience to hold executive positions in the Government civil service.

A recent and exhaustive survey comparing the wages paid in similar positions in manufacturing establishments with those in the Government disclose the fact that for the past 25 or 30 years, and during the past decade, the money earnings of the Government employees have averaged one-third less than the money earnings paid to industrial employees holding similar positions. The average salary of the Federal employees is \$1,560. This average is maintained by the few high salaries at the top of the scale, since two-thirds of the employees receive less than the average. That is, two-thirds of the 620,000 Federal work-



ers scattered over the United States (of which 67,000 only are located in Washington) receive less than \$1,000 and not more than \$1,560; and more than one-half of these receive less than a living wage for a family of three members.

The wages of Federal employees were practically at a standstill from 1893 to 1915, in 1893 averaging \$1,096, and in 1915 averaging \$1,141. Due to the war and the upward trend of all salaries and the consequent increase in the cost of living Government salaries rose from 1915 to 1931, but not as rapidly as cost of living had risen. Nor had they increased to the extent of salaries outside the Government, since they showed an increase of 168 per cent for the year 1928 over 1893, as against a 70 per cent increase in Government salaries.

Due to the increased cost of living, the purchasing power of Federal salaries remained below the 1893 level until 1931, when the decline in the cost of living, together with the salary increases in 1929 and 1930, brought the purchasing power back to the level of 1893. Since the 8 2/3 per cent deduction in Federal salaries the purchasing power of the Federal employee is again below the level of 1893.

Of the total national income of \$15,000,000,000, 25 per cent is expended on Government administration. David Lawrence stated in a recent radio address that, even so, the United States expended a smaller percentage of her total income on Government administration than does Great Britain, France, Germany, or Austria. Of this 25 per cent spent on government, 70 per cent is spent on city and State governments and 30 per cent on Federal Government. So only 7 1/2 per cent of the total income is chargeable against Federal expenses, and a very very small per cent of this 7 1/2 per cent goes toward Federal salaries, as will be shown by the following figures:

Out of the 620,000 Federal employees over the United States, almost one-half, or over 300,000, are employed in the Post Office Department, which is capable of being self-supporting. The Income Tax Unit is also more than self-supporting. It collects billions of dollars of additional taxes that would be lost to the Government if it did not exist, and, in addition to paying the salaries of its employees, turns millions into the Treasury.

Since the cost of city and State government has increased 76 per cent in the past 10 years as against a 14 per cent increase in cost of Federal Government, and represents 70 per cent of total national income, it would seem this cost should have received attention ahead of reduction in Federal salaries.

If the taxpayers throughout the country are really intelligently interested in the reduction of Government expenses, they will elect men to Congress who will vote for economies where economies are most needed and practicable, and will refuse to urge that 70 per cent of the economies effected by the economy bill be effected at the expense of one small group of workers who represent less than six-tenths of 1 per cent of the people.

The 67,000 persons who are employed in departmental service in Washington do not represent 50 per cent of the working class in Washington; yet they contributed \$1,470,000 toward the relief and unemployment fund, which was almost three-fourths of the amount contributed by the entire city.

So, just as they have borne more than their just share of caring for the needy in their own community, so have they borne an unjust and disproportionate share of the Federal economy for the entire country.

Mr. GARBER. Mr. Speaker, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. GARBER. The opposition to the rule is based on the contention that section 5 is a delegation of legislative power to the Budget. Does the gentleman believe that that position is tenable?

Mr. BOYLAN. No; I do not. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BANKHEAD. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. BANKHEAD) there were—ayes 82, noes 62.

Mr. LAGUARDIA. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 146, not voting 63, as follows:

[Roll No. 130]

YEAS—220

Aldrich	Douglas, Ariz.	Johnson, Tex.	Rainey
Allgood	Doxey	Jones	Ramseyer
Andresen	Drane	Kennedy, Md.	Rayburn
Andrew, Mass.	Drewry	Kerr	Reed, N. Y.
Andrews, N. Y.	Driver	Ketcham	Reilly
Arentz	Ellzey	Kieberg	Rich
Arnold	Eslick	Kniffin	Robinson
Ayres	Estep	Knutson	Rogers, Mass.
Bachmann	Fernandez	Kopp	Romjue
Baldrige	Fish	Lambeth	Sabath
Bankhead	Fishburne	Larsen	Sanders, Tex.
Barton	Flannagan	Lozier	Sandlin
Beedy	Foss	Luce	Selberling
Bland	Free	Ludlow	Shallenberger
Blanton	French	McClintic, Okla.	Shott
Boehne	Fulbright	McGugin	Simmons
Bolton	Fuller	McKeown	Smith, Va.
Briggs	Fulmer	McMillan	Smith, W. Va.
Browning	Gambrill	McReynolds	Snell
Buchanan	Garber	Major	Snow
Bulwinkle	Gasque	Maloney	Sparks
Burch	Glover	Mansfield	Spence
Burtness	Goldsborough	Mapes	Stafford
Busby	Green	Martin, Mass.	Stalker
Byrns	Greenwood	Michener	Steagall
Canfield	Gregory	Millard	Stewart
Cannon	Guyer	Miller	Strong, Kans.
Carter, Calif.	Hadley	Milligan	Stull
Cartwright	Hall, Ill.	Mitchell	Summers, Tex.
Cary	Hall, N. Dak.	Mobley	Swank
Castellow	Hancock, N. Y.	Montague	Swanson
Chapman	Hancock, N. C.	Montet	Taber
Chindblom	Hare	Moore, Ky.	Tarver
Christopherson	Harlan	Moore, Ohio	Thurston
Clague	Hart	Morehead	Timberlake
Clark, N. C.	Hastings	Nelson, Mo.	Underhill
Clarke, N. Y.	Haugen	Norton, Nebr.	Vinson, Ga.
Cole, Iowa	Hawley	O'Connor	Vinson, Ky.
Cole, Md.	Hess	Oliver, Ala.	Warren
Collins	Hill, Ala.	Overton	Watson
Cooper, Tenn.	Hill, Wash.	Owen	Watson
Cox	Hoch	Palmisano	Weaver
Cross	Holaday	Parker, Ga.	Weeks
Crowe	Hollister	Parks	Whittington
Crowther	Holmes	Parsons	Williams, Mo.
Culkin	Hooper	Partridge	Williams, Tex.
Darrow	Hope	Patman	Wilson
Davenport	Hopkins	Perkins	Wingo
Davis, Tenn.	Houston, Del.	Pettengill	Wolcott
DeRouen	Huddleston	Polk	Wood, Ga.
Dickinson	Hull, Morton D.	Pou	Wood, Ind.
Dies	Jeffers	Pratt, Harcourt J.	Woodruff
Disney	Jenkins	Pratt, Ruth	Woodrum
Dominick	Johnson, Okla.	Purnell	Wright
Doughton	Johnson, S. Dak.	Ragon	Yon

NAYS—146

Adkins	Cooper, Ohio	Howard	Niedringhaus
Allen	Crall	Hull, William E.	Nolan
Almon	Crosser	Jacobsen	Norton, N. J.
Amle	Cullen	James	Parker, N. Y.
Auf der Heide	Davis, Pa.	Kading	Patterson
Bacon	Delaney	Kahn	Peavey
Barbour	De Priest	Keller	Person
Beam	Dickstein	Kelly, Ill.	Pittenger
Biddle	Douglass, Mass.	Kelly, Pa.	Pral
Black	Dowell	Kemp	Ramspeck
Bloom	Dyer	Kennedy, N. Y.	Ransley
Bohn	Eaton, Colo.	Kinzer	Reid, Ill.
Bolleau	Eaton, N. J.	Kurtz	Rogers, N. H.
Boland	Englebright	Kvale	Rudd
Bowman	Evans, Calif.	LaGuardia	Sanders, N. Y.
Boylan	Evans, Mont.	Lamneck	Schafer
Britten	Fiesinger	Lanham	Schneider
Brunner	Finley	Lankford, Ga.	Schuetz
Cable	Fitzpatrick	Lankford, Va.	Seger
Carden	Frear	Leavitt	Selvig
Carley	Gavagan	Loneragan	Shreve
Carter, Wyo.	Gibson	Loofbourow	Sinclair
Cavichia	Gifford	Lovette	Sirovich
Celler	Gilchrist	McClintock, Ohio	Somers, N. Y.
Chavez	Goodwin	McCormack	Strong, Pa.
Chiperfield	Goss	McFadden	Sullivan, N. Y.
Christgau	Granfield	Maas	Summers, Wash.
Clancy	Griffin	Manlove	Sutphin
Cochran, Mo.	Haines	May	Sweeney
Cochran, Pa.	Hardy	Mead	Swing
Condon	Hartley	Mouser	Taylor, Tenn.
Connery	Hogg, Ind.	Murphy	Temple
Connolly	Hogg, W. Va.	Nelson, Me.	Thomason
Cooke	Horr	Nelson, Wis.	Tinkham

Turpin	West	Wigglesworth	Wolverton
Underwood	White	Withrow	Yates
Weich	Whitley		
NOT VOTING—63			
Abernethy	Crump	Johnson, Mo.	Oliver, N. Y.
Bacharach	Curry	Johnson, Wash.	Rankin
Beck	Dieterich	Kendall	Shannon
Brand, Ga.	Doutrich	Kunz	Smith, Idaho
Brand, Ohio	Erk	Lambertson	Stevenson
Brumm	Flood	Larrabee	Stokes
Buckbee	Freeman	Lea	Sullivan, Pa.
Burdick	Garrett	Lehlbach	Swick
Butler	Gilbert	Lewis	Taylor, Colo.
Campbell, Iowa	Gillen	Lichtenwalner	Thatcher
Campbell, Pa.	Golder	Lindsay	Tierney
Chase	Griswold	McDuffie	Treadway
Collier	Hall, Miss.	McLeod	Williamson
Colton	Hornor	McSwain	Wolfenden
Corning	Igoe	Magrady	Wyant
Coyle	Johnson, Ill.	Martin, Ore.	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Colton (for) with Mr. Oliver of New York (against).  
Mr. Thatcher (for) with Mr. Lindsay (against).  
Mr. Brumm (for) with Mr. Buckbee (against).

General pairs:

Mr. McDuffie with Mr. Bacharach.  
Mr. Garrett with Mr. Doutrich.  
Mr. Corning with Mr. Lehlbach.  
Mr. Taylor of Colorado with Mr. Swick.  
Mr. Collier with Mr. Treadway.  
Mr. Lea with Mr. McLeod.  
Mr. McSwain with Mr. Stokes.  
Mr. Lewis with Mr. Magrady.  
Mr. Martin of Oregon with Mr. Beck.  
Mr. Shannon with Mr. Williamson.  
Mr. Tierney with Mr. Burdick.  
Mr. Crump with Mr. Wolfenden.  
Mr. Flood with Mr. Wyant.  
Mr. Gilbert with Mr. Brand of Ohio.  
Mr. Igoe with Mr. Butler.  
Mr. Lichtenwalner with Mr. Freeman.  
Mr. Stevenson with Mr. Kendall.  
Mr. Brand of Georgia with Mr. Smith of Idaho.  
Mr. Dieterich with Mr. Campbell of Iowa.  
Mr. Gillen with Mr. Golder.  
Mr. Abernethy with Mr. Campbell of Pennsylvania.  
Mr. Griswold with Mr. Johnson of Washington.  
Mr. Rankin with Mr. Lambertson.  
Mr. Hall of Mississippi with Mr. Erk.  
Mr. Larrabee with Mr. Curry.  
Mr. Kunz with Mr. Chase.  
Mr. Hornor with Mr. Coyle.  
Mr. Johnson of Missouri with Mr. Sullivan of Pennsylvania.

Mr. DOXEY. Mr. Speaker, I desire to announce that my colleague the gentleman from Mississippi [Mr. RANKIN] is unavoidably detained on account of illness.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

#### IMPEACHMENT OF HERBERT HOOVER, PRESIDENT OF THE UNITED STATES

Mr. McFADDEN. Mr. Speaker, I rise to a question of constitutional privilege.

On my own responsibility as a Member of the House of Representatives, I impeach Herbert Hoover, President of the United States, for high crimes and misdemeanors, and offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, unlawfully attempted to usurp and has usurped legislative powers and functions of the Congress of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, publicly shown disrespect for the Congress of the United States, which violation makes him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, pursued a policy inimical to the welfare of the United States by employing means to influence the deliberations of the legislative branch of the United States Government and has interfered with freedom of debate in Congress and has forced unsound and unconstitutional legislation upon the people of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, attempted unlawfully to dissipate and has unlawfully dissipated financial resources and other resources of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, has, to the great loss and detriment of the United States and to the benefit of foreign nations, unlawfully attempted to impair the validity of contracts existing between the United States and foreign nations, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, unlawfully interfered with and prevented the receipt by the United States of payments of money lawfully due to the United States from foreign nations and has inflicted great losses, financial and otherwise, upon the Government and the people of the United States and has injured the credit and financial standing of the United States Government and has increased unemployment and suffering from physical want in the United States, and has caused a deficit in the accounts of the United States Treasury which has rendered necessary the imposition of additional taxes upon the people of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, initiated and carried on secret conversations, ignominious to the United States, with German Government officials and international bankers and others, with intent to deceive and to injure the Government and the people of the United States, and thereby has injured the Government and the people of the United States; and whereas the said Hoover ignominiously caused a prearranged request to be improperly made to himself by General von Hindenburg, President of Germany, for the commission of an unlawful act injurious to the United States and caused such request to be made for the purpose of deceiving and injuring the people of the United States and for the purpose of covering up a conspiracy against the United States which was taking place between himself and others, which conspiracy culminated in the Hoover moratorium proposal and the London conference of July, 1931; and whereas the said Hoover, with intent to injure the United States and to destroy financial assets of the United States, unlawfully declared the so-called Hoover moratorium and unlawfully initiated the international political conference which took place at London in July, 1931, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States has publicly stated in the press that his declaration of the moratorium has meant sacrifices by the American people, and that the economic load most seriously oppressing the peoples of Germany and Central Europe will be immensely lightened, and whereas the infliction of suffering upon the American people for the benefit of foreign nations on his part, the part of the said Hoover, is a violation of the Constitution and laws of the United States, the said admission shows him to be guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has failed to obey and to uphold the law passed by the Seventy-second Congress of the United States forbidding cancellation in whole or in part of the war debts due to the United States from foreign nations, and is endeavoring and has endeavored to nullify the contracts existing between the United States and its foreign debtors, and whereas such failure to obey and to uphold the law constitutes a violation of the Constitution and laws of the United States and makes him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, initiated the German still-holding agreement, and whereas the said still-holding agreement has never become law in the United States, but has unlawfully been put into effect here by the said Hoover in his usurpation of legislative power and by interested private parties trespassing upon the rights and privileges of the United States Government, and whereas the said still-holding agreement violates the terms of the Federal reserve act, the national bank act, and other laws of the United States, and is injurious to the United States, such violations make him, the said Hoover, guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas an international conference composed of ministers of Great Britain, France, Germany, Belgium, Italy, Japan, and the United States took place at London from Monday, July 20, to Thursday, July 23, 1931, at the invitation of the British Government but on the initiative of the said Hoover, and was attended and participated in by Andrew W. Mellon, Secretary of the United States Treasury, and by Henry L. Stimson, United States Secretary of State, acting as representatives of the United States; and whereas the said Stimson presented a certain proposal to it; and whereas the said London conference took action affecting the United States and exercising sway over the United States and action affecting the war debts due to the United States; and whereas the representative of the United States entered into agreements on behalf of the United States with the ministers of Great Britain, France, Germany, Belgium, Italy, and Japan; and



whereas such agreements entailed the surrender of rights of the United States; and whereas the said agreements so made have never been disclosed or submitted to the Congress of the United States for ratification and have never become law in the United States; and whereas a second conference, composed of a committee appointed by direction of the aforesaid London conference under stipulation that it should consist of representatives nominated by the governors of the central banks interested and that it was to take place at Basel under the Bank for International Settlements; and whereas Albert H. Wiggin appeared at the said conference at Basel as the representative of the United States on the nomination of George L. Harrison, of the Federal Reserve Bank of New York, an individual who had no power to make the said nomination; and whereas control of all the banking systems of the United States including the fiscal agents of the United States Government with their control of United States Treasury funds was given to this London conference committee, consisting of Albert H. Wiggin, Alberto Beneduce, Dr. R. G. Bindschedler, E. Franqui, P. Hofstede de Groot, Walter T. Layton, C. Melchior, E. Moreau, O. Rydbeck, T. Tanaka, upon which the so-called United States representative was outnumbered nine to one by the nominees of the heads of foreign central banks; and whereas control of all the banking systems and all the wealth of the United States and control of the United States Treasury was thus given to foreign powers; and whereas actions taken by the said committee made it impossible for the banks of the United States to withdraw the funds of their depositors and other funds from Germany and obliged the banks of the United States continually to maintain the volume of their funds in Germany and made it impossible for the Treasury of the United States to withdraw moneys unlawfully taken from it and placed in Germany; and whereas such actions in regard to the banks and banking systems of the United States were unlawful and were unnecessary for any benefit to Germany, whose economic and budgetary situation according to the report of the London conference did not justify a lack of confidence; and whereas the said actions were taken as measures of deflation against the American people to impound United States funds in Germany under foreign control, to paralyze United States banks, to injure the United States Treasury, and to keep the United States in a condition of depression until misery and fear and starvation would drive the people of the United States into submission and compel them to cancel the war debts due to them; and whereas the said Wiggin had no lawful power to represent the banking systems of the United States at the said conference at Basel; and whereas the nomination of the said Wiggin by an individual at the direction of the ministers of Great Britain, France, Germany, Belgium, Italy, Japan, and the United States was unlawful; and whereas the agreements made and the action taken by the London conference committee at Basel have never been submitted to the Congress of the United States; and whereas billions of dollars in bank deposits have been lost by American citizens on account of the said agreements, and many United States banks have failed by reason of them and the Reconstruction Finance Corporation has made loans of public money to banks and institutions injured by them and the public debt of the United States and the deficit in the United States Treasury have been increased by the actions of the London conference committee at Basel; and whereas the said actions were taken on the initiative and by the direction of the said Hoover; and whereas the still-holding agreement entered into at Basel by the said Wiggin was unlawful and was prepared concurrently with the terms of the Hoover moratorium proposal by the said Hoover and others and was presented to the London conference by Henry L. Stimson as a joint product of British and American participation and was a part of a conspiracy designed to force the United States into submission to foreign nations and international bankers and thus to obtain cancellation of the war debts; and whereas in violation of the Constitution and laws of the United States, Herbert Hoover, President of the United States, initiated the London conference and the prearranged events which flowed from it; and whereas the London conference was deceitfully initiated by the said Hoover for the purpose of securing cancellation of the war debts as shown by facts and circumstances; and whereas the Herald Tribune published a report at the close of the London conference, a part of which reads as follows:

"If, as these British leaders expect, the committee recommends a considerable extension of credits to Germany; if it indicates, further, that permanent amelioration of that situation depends upon reconsideration of the war debts and reparations problem, and if the interested powers take action along these lines the British admit that something indeed will have been accomplished."

Which article shows the British expectation that the said London conference would result in a recommendation, by the committee appointed at its direction to meet at Basel, that permanent amelioration of the situation would depend upon reconsideration of the war debts and reparations, and whereas the said committee of individuals nominated by the heads of foreign central banks, which central banks are foreign-government institutions, and Albert H. Wiggin, who unlawfully appeared as the representative of the United States and of all the banking systems of the United States, did make the prearranged recommendation by means of a report which is nothing less than an argument for a reconsideration of the war debts and reparations, and whereas the said Hoover initiated the London conference for the purpose of defrauding and injuring the United States and signing over majority

control of the banking systems of the United States, which represent the wealth and savings of the American people, to foreign nations and for the purpose of bringing about a cancellation of war debts, in violation of the Constitution and laws of the United States, his actions in connection therewith make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, did in 1932, after the passage of the law passed by the Seventy-second Congress of the United States forbidding cancellation or reduction of the war debts, appoint one Andrew W. Mellon, then Secretary of the United States Treasury, ambassador to a foreign power while a resolution for the impeachment of the said Mellon for violations of United States law and misconduct in office was being heard by the Judiciary Committee of the House of Representatives, which appointment of the said Mellon was ignominious to the United States and showed disrespect for the House of Representatives, and whereas the said Hoover has permitted without contradiction the publication of statements concerning the said appointment of the said Mellon as having been made by him with a consideration of Mellon's fitness to conduct conversations with the said foreign power for the purpose of canceling the debt of that foreign power to the United States, thus admitting an effort on his part, the part of the said Hoover, to bring about cancellation in whole or in part of the war debt due from the said foreign nation to the United States, in defiance of the will of Congress, in violation of the law of the United States, and in violation of the rights of the sovereign people of the United States, which effort on his part, as further evidenced by his actions showing a conspiracy against the United States between himself and the said Mellon and others and by his secret conversations, ignominious to the United States, with Ramsay MacDonald, Montague Norman, and other subjects of the King of England and officials of the British Government, and others, showing a willingness and an intention on his part to defraud the people of the United States, makes him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, and for the benefit of foreigners, unlawfully attempted to interfere with the operation of international agreements and has thereby furnished an excuse, albeit one of no value, for the ultimatum addressed to the United States by the British Government on December 1, 1932, and has caused the Government of France, under the mistaken assumption that the said Hoover has autocratic power, to declare in its note of December 2, 1932, that the President of the French Council "agreed with the President of the United States on the terms of a communiqué, stating that in the matter of intergovernmental debts a new arrangement covering the period of the depression might be necessary, provided that the initiative came from the European powers principally concerned. In conformity with this text, which seems to constitute a novation in equity in the régime of international debts, this initiative was taken. Within the sphere where only the European powers were involved the arrangement provided for has been brought about." And whereas the said communiqué so described by the French Government is legally unknown to the Government of the United States, never having been presented by the said Hoover to the Congress for ratification, and never having been ratified by the Congress of the United States, and whereas such opinions and such envisagements of potentialities, and such readings of the future as the French Government state may be found in it were definitely and irrevocably rejected by the Congress of the United States in the law passed by the said Congress concerning the Hoover moratorium and signed by the said Hoover on December 23, 1931, nevertheless the agreement on the part of the said Hoover with the President of the French Council on the terms of the said abortive communiqué mentioned by the French Government in its note of December 2, 1932, was injurious to the United States and ignominious to the United States and constitutes a violation of the Constitution and laws of the United States; and whereas a movement, which appears to be a concerted one, on the part of the foreign debtors of the United States is taking place under the apparent leadership of the said Hoover, the said Mellon, and others, having for its object the cancellation, for the benefit of foreign nations and individuals, of the war debts due to the United States; and whereas the said Hoover may have offered or may have taken a bribe, the said violations make him, the said Hoover, guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, has unlawfully conducted conversations ignominious to the United States and has attempted to negotiate treaties and agreements ignominious to the United States for the benefit of foreign nations and individuals, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, unlawfully attempted to enter into secret and ignominious agreements with representatives of foreign powers, the subject matter of which is contrary to the laws of the United States, and has failed to disclose the nature and extent of those agreements and their true import to the Congress and the people of the United States, and has put into effect secret and unratified agreements between himself and foreign powers, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and



Whereas the said Herbert Hoover, President of the United States, has been accused of having conveyed to foreign governments his promise that if Germany were released by them from the necessity of paying reparations the United States would cancel the war debts due to it from the said foreign governments and other governments, and whereas although it is well known to all the governments of the world that the said Hoover is and always has been without power to bind the United States to any promise or agreement whatsoever, his alleged conduct has caused a foreign government to seek to take advantage of the United States on account of it and to state in a sharply worded and threatening diplomatic communication that it entered into provisional but inconclusive negotiations with Germany at Lausanne for devising a settlement of reparations with the "cognizance and approval" of the United States Government, and whereas such negotiations with Germany, if so undertaken, were conceived without due regard to facts if they were based on any promises made by the said Hoover and were not undertaken with the "cognizance and approval" of the United States Government, nevertheless, "approval" of them, if so vouchsafed to any foreign government by Herbert Hoover as a part of a bargain or conspiracy to deprive the United States of all or any part of the amount now due to it from foreign nations, was a violation of the Constitution and laws of the United States and makes him, the said Hoover, guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has in his message to the United States Congress of December 6, 1932, stated that he has promised certain foreign nations that he will recommend to the Congress methods to overcome "temporary exchange difficulties," although he does not state what such exchange difficulties are, in connection with the payments due to the United States on December 15, 1932, and whereas such methods must necessarily be aside from and in violation of the contracts under which the said payments are to be made, and whereas the recommendation of them would be an attempt to deprive the United States of moneys which are due to it, and whereas such recommendation of methods might be used as an excuse for non-payment or as an argument disturbing to the peace of the world for cancellation of the war debts due to the United States, and whereas such a recommendation would be in favor of foreign nations at the expense of the people of the United States; and whereas the said Herbert Hoover has by all his actions endeavored to nullify the contracts concerning war debts existing between the United States and foreign nations, and has endeavored to bring about a revival of the Debt Funding Commission to alter the said contracts in favor of foreign nations at the expense of the Government and the people of the United States, and has endeavored to bring about a cancellation of the said war debts, and has by all his actions encouraged foreign nations to default on their obligations to the United States and is now encouraging them so to default, such promise on his part to foreign nations constitutes a violation of the Constitution and laws of the United States and makes him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, accepted the resignation from the Federal Reserve Board of Edmund Platt in September, 1930, in circumstances which make it appear that a bribe may have been offered to cause the said Platt to resign his position as a member of the Federal Reserve Board and an officer of the United States Government; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, unlawfully designated Eugene Meyer governor of the Federal Reserve Board when he appointed the said Meyer a member of the Federal Reserve Board in September, 1930, to serve the unexpired portion of the term of Edmund Platt, and has permitted the said Meyer to act as governor of the Federal Reserve Board continuously ever since, notwithstanding the fact that the said Meyer is serving the unexpired portion of the term of Edmund Platt and is not eligible to act as governor of the Federal Reserve Board, which violations make him, the said Herbert Hoover, guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, accepted the resignation from the Federal Reserve Board of Roy A. Young in September, 1930, thus creating a vacancy on the Federal Reserve Board, and has willfully failed and neglected to appoint an individual to fill the vacancy on the Federal Reserve Board occasioned by the absence of Roy A. Young, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, failed to designate as governor a member of the Federal Reserve Board who is lawfully qualified and eligible to act as governor thereof, and has failed to designate a member of the Federal Reserve Board as vice governor thereof, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, in violation of the Constitution and laws of the United States, permitted Eugene Meyer to act as a member and as chairman of the board of the Reconstruction Finance Corporation, well knowing that the said Meyer was not lawfully qualified or eligible to act as a member of that board or as chairman thereof and unlawfully permitted the illegally constituted Reconstruction Finance

Corporation, under the illegal chairmanship of the said Eugene Meyer, unlawfully to distribute immense sums of money belonging to the people of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, failed and neglected to take care that the Federal reserve law be faithfully executed and has permitted the said law to be administered unlawfully and by an illegally constituted Federal Reserve Board and has permitted violations of the Federal reserve law which have resulted in grave financial losses to the Government and the people of the United States, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has, in violation of the Constitution and laws of the United States, permitted irregularities in the issuance of Federal reserve currency which have occasioned great losses to the United States and have deprived the United States of legal revenue and has permitted the Federal Reserve Board and the Federal reserve banks unlawfully to take and to use Government credit for private gain and has permitted grave irregularities in the conduct of the United States Treasury, which violations make him guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has treated with contumely the veterans of the World War who came to the District of Columbia in the spring and summer of 1932 in the exercise of their constitutional rights and privileges, and whereas the said Hoover did nothing to relieve, even temporarily, the distress of the said veterans, their wives, and children while they were destitute at Washington, although Congress allows the Executive a large fortune yearly for the purpose of entertaining United States citizens and others from time to time as may be necessary, and whereas the said Hoover has shown a lack of respect for the flag of the United States by denouncing the said veterans as being for the most part criminals and undesirable low-world characters, thus holding those veterans of the World War and defenders of the United States flag up to scorn before their countrymen and their companions in arms across the sea, and whereas the said Hoover sent a military force heavily armed against homeless, hungry, sick, ragged, and defenseless men, women, and children, and drove them, by force of fire and sword and chemical warfare, out of the District of Columbia, which act constituted an infringement upon the constitutional rights of the said men, women, and children; and whereas such acts stamp their perpetrator as one who is socially and morally unfit to be President of the United States, and such unfitness for office and such disgrace of office as the said acts denote make him, the said Hoover, guilty of high crimes and misdemeanors and subject to impeachment; and

Whereas the said Herbert Hoover, President of the United States, has publicly stated that there is a Government at Washington which knows how to deal with the mob, meaning himself and his treatment of a group of veterans of the World War, their wives, and children; and whereas the said statement is unseemly, is liable to bring the office of the Presidency into disrepute, is injurious to the conception of a democratic government, and betrays a purpose in his actions which does not accord with the rights of a free people among whom there are no nobles and no serfs or peasants, no mob and no master, but a government of the people, by the people, for the people; and whereas the making of the aforesaid statement constitutes conduct unbecoming a President of the United States and makes him, the said Herbert Hoover, guilty of high crimes and misdemeanors and subject to impeachment; Therefore be it

*Resolved*, That the Committee on the Judiciary is authorized to investigate the official conduct of Herbert Hoover, President of the United States, and all matters related thereto, to determine whether in the opinion of the said committee he has been guilty of any high crime or misdemeanor which, in the contemplation of the Constitution, requires the interposition of the constitutional powers of the House. Such committee shall report its findings to the House, together with such resolution of impeachment or other recommendation as it deems proper, in order that the House of Representatives may, if necessary, present its complaint to the Senate, to the end that Herbert Hoover may be tried according to the manner prescribed for the trial of the Executive by the Constitution and the people be given their constitutional remedy and be relieved of their present apprehension that a criminal may be in office.

For the purposes of this resolution, the committee is authorized to sit and act during the present Congress at such times and places in the District of Columbia or elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to employ such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary.

Mr. STAFFORD (interrupting the reading of the resolution). Mr. Speaker, will the Chair entertain a parliamentary inquiry?

Mr. BLANTON. Mr. Speaker, I make the point of order that it is improper to disturb the reading of such a reso-



lution by a parliamentary inquiry, and that only points of order would reach the matter.

The SPEAKER. That is in the discretion of the Chair. The Chair will recognize the gentleman from Wisconsin to make a parliamentary inquiry.

Mr. STAFFORD. Is it in order to raise the question of consideration at this time?

The SPEAKER. Not until the resolution is read.

The Clerk concluded the reading of the resolution.

Mr. POUL. Mr. Speaker, I move to lay the resolution on the table. [Applause.]

Mr. DYER. On that motion I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 361, nays 8, not voting 60, as follows:

[Roll No. 131]

YEAS—361

Adkins	Crall	Hill, Wash.	Morehead
Aldrich	Cross	Hoch	Mouser
Allen	Crosser	Hogg, Ind.	Murphy
Allgood	Crowe	Hogg, W. Va.	Nelson, Me.
Almon	Crowther	Holaday	Nelson, Mo.
Amle	Culkin	Hollister	Nelson, Wis.
Andersen	Cullen	Holmes	Niedringhaus
Andrew, Mass.	Darrow	Hooper	Nolan
Andrews, N. Y.	Davenport	Hope	Norton, Nebr.
Arentz	Davis, Pa.	Hopkins	O'Connor
Arnold	Davis, Tenn.	Horr	Oliver, Ala.
Auf der Helde	Delaney	Houston, Del.	Overton
Ayres	De Priest	Huddleston	Owen
Bachmann	DeRouen	Hull, Morton D.	Palmisano
Bacon	Dickinson	Hull, William E.	Parker, Ga.
Baldrige	Dickstein	Jacobsen	Parks
Bankhead	Dies	James	Parsons
Barbour	Disney	Jeffers	Partridge
Barton	Dominick	Jenkins	Patterson
Beam	Doughton	Johnson, Okla.	Peavey
Beedy	Douglas, Ariz.	Johnson, S. Dak.	Perkins
Biddle	Douglass, Mass.	Johnson, Tex.	Person
Bland	Dowell	Jones	Pettengill
Bloom	Doxey	Kading	Pittenger
Boehne	Drane	Kahn	Polk
Bohn	Drewry	Keller	Pou
Bolleau	Driver	Kelly, Ill.	Prall
Boland	Dyer	Kelly, Pa.	Pratt, Harcourt J.
Bolton	Eaton, Colo.	Kemp	Pratt, Ruth
Bowman	Eaton, N. J.	Kennedy, Md.	Purnell
Boylan	Ellzey	Kennedy, N. Y.	Ragon
Briggs	Englebright	Kerr	Rainey
Britten	Eslick	Ketcham	Ramseyer
Browning	Estep	Kinzer	Ramspeck
Brumm	Evans, Calif.	Kleberg	Ransley
Brunner	Evans, Mont.	Kniffin	Rayburn
Buchanan	Fernandez	Knutson	Reed, N. Y.
Bulwinkle	Fiesinger	Kopp	Reid, Ill.
Burch	Finley	Kurtz	Reilly
Burness	Fish	Kvale	Rich
Busby	Fishburne	LaGuardia	Robinson
Byrns	Fitzpatrick	Lambeth	Rogers, Mass.
Cable	Flannagan	Lamneck	Rogers, N. H.
Campbell, Iowa	Foss	Lanham	Rudd
Campbell, Pa.	Frear	Lankford, Ga.	Sabath
Canfield	Free	Lankford, Va.	Sanders, N. Y.
Cannon	French	Larrabee	Sanders, Tex.
Carden	Fulbright	Lea	Sandlin
Carley	Fuller	Leavitt	Schafer
Carter, Calif.	Fulmer	Loneragan	Schneider
Carter, Wyo.	Gambrell	Loofbourow	Schuetz
Cartwright	Garber	Lovette	Seeger
Cary	Gasque	Lozier	Seiberling
Castellow	Gavagan	Luce	Shallenberger
Cavichia	Gibson	Ludlow	Shannon
Celler	Gifford	McClintic, Okla.	Shott
Chapman	Gilchrist	McClintock, Ohio	Shreve
Chase	Glover	McCormack	Simmons
Chavez	Goldsborough	McGugin	Sinclair
Chindblom	Goodwin	McKeown	Sirovich
Chiperfield	Goss	McLeod	Smith, Va.
Christgau	Granfield	McMillan	Smith, W. Va.
Christopherson	Green	McReynolds	Snell
Clague	Greenwood	Maas	Snow
Clancy	Gregory	Major	Somers, N. Y.
Clark, N. C.	Griswold	Maloney	Stafford
Clarke, N. Y.	Guyer	Manlove	Stalker
Cochran, Mo.	Hadley	Mansfield	Stegall
Cochran, Pa.	Haines	Mapes	Stevenson
Cole, Iowa	Hall, Ill.	Martin, Mass.	Stewart
Cole, Md.	Hall, N. Dak.	May	Strong, Kans.
Collier	Hancock, N. Y.	Mead	Strong, Pa.
Collins	Hardy	Michener	Stull
Condon	Hare	Millard	Sullivan, N. Y.
Connery	Harlan	Miller	Summers, Wash.
Connolly	Hartley	Milligan	Summers, Tex.
Cooke	Hastings	Mitchell	Sutphin
Cooper, Ohio	Haugen	Mobley	Swank
Cooper, Tenn.	Hess	Montague	Swanson
Cox	Hill, Ala.	Moore, Ohio	Swing

Taber	Underwood	Whitley	Wolverton
Tarver	Vinson, Ga.	Whittington	Wood, Ga.
Taylor, Tenn.	Vinson, Ky.	Wigglesworth	Wood, Ind.
Temple	Warren	Williams, Mo.	Woodruff
Thatcher	Wason	Williams, Tex.	Woodrum
Thomason	Watson	Williamson	Wright
Thurston	Weaver	Wilson	Yates
Timberlake	Weeks	Wingo	Yon
Tinkham	Welch	Withrow	
Turpin	West	Wolcott	
Underhill	White	Wolfenden	

NAYS—8

Black	Griffin	McFadden	Romjue
Blanton	Hancock, N. C.	Patman	Sweeney

NOT VOTING—60

Abernethy	Erk	Johnson, Wash.	Norton, N. J.
Bacharach	Flood	Kendall	Oliver, N. Y.
Beck	Freeman	Kunz	Parker, N. Y.
Brand, Ga.	Garrett	Lambertson	Rankin
Brand, Ohio	Gilbert	Larsen	Selvig
Buckbee	Gillen	Lehlbach	Smith, Idaho
Burdick	Golder	Lewis	Sparks
Butler	Hall, Miss.	Lichtenwalner	Spence
Colton	Hart	Lindsay	Stokes
Corning	Hawley	McDuffie	Sullivan, Pa.
Coyle	Hornor	McSwain	Swick
Crump	Howard	Magrady	Taylor, Colo.
Curry	Igoe	Martin, Oreg.	Tierney
Dieterich	Johnson, Ill.	Montet	Treadway
Doutrich	Johnson, Mo.	Moore, Ky.	Wyant

So the motion was agreed to.

The Clerk announced the following additional pairs.

Until further notice:

Mr. Lindsay with Mr. Buckbee.  
Mrs. Norton with Mr. Parker of New York.  
Mr. Howard with Mr. Stokes.  
Mr. Oliver of New York with Mr. Treadway.  
Mr. Crump with Mr. Brumm.  
Mr. McSwain with Mr. Selvig.  
Mr. Montet with Mr. Dutrich.  
Mr. Spence with Mr. Colton.  
Mr. Abernethy with Mr. Hawley.  
Mr. Dieterich with Mr. Curry.  
Mr. Larsen with Mr. Johnson of Washington.  
Mr. Moore of Kentucky with Mr. Kendall.  
Mr. Kunz with Mr. Johnson of Illinois.  
Mr. Hart with Mr. Sparks.

Mr. WARREN. Mr. Speaker, the gentleman from Alabama, Mr. McDUFFIE, is confined to his home by illness. He has asked me to announce that were he present he would vote "yea."

Mr. DARROW. Mr. Speaker, my colleague, Mr. WYANT, is unavoidably absent on account of illness, and Mr. DOUTRICH is also absent, confined to the hospital with a broken limb. Both of them, were they here, would answer "yea."

Mr. CULLEN. Mr. Speaker, I wish to announce that my colleagues, Mr. LINDSAY, Mr. CORNING, and Mr. OLIVER of New York, are absent on account of illness. Were they here, they would vote "yea."

Mr. GREENWOOD. Mr. Speaker, my colleague, Mr. GILLEN, is not in the Chamber on account of illness.

Mr. HART. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. HART. I was not; I was in committee.

The SPEAKER. The gentleman does not qualify.

Mr. HART. I wish to state that if I had been present I would have voted "yea."

Mr. UNDERHILL. Mr. Speaker, I wish to announce that my colleague, Mr. TREADWAY, is unavoidably detained. If he were here, he would vote "yea."

Mr. SEGER. Mr. Speaker, I wish to announce that my colleagues, Mr. LEHBACH and Mr. BACHARACH, are unavoidably detained. If they were present, they would vote "yea."

Mr. GOSS. Mr. Speaker, I wish to announce that my colleague, Mr. FREEMAN, is unavoidably absent. Were he here, he would vote "yea."

Mr. MAPES. Mr. Speaker, I am requested to announce the unavoidable absence of Mr. HAWLEY at the recent roll call, and to say that if he had been present he would have voted "yea."

The result of the vote was announced as above recorded.

ASSIGNMENT OF MEMBERS TO COMMITTEES

Mr. COLLIER. Mr. Speaker, I offer a privileged resolution.

The Clerk read as follows:

House Resolution 319

*Resolved*, That the following Members be, and they are hereby, elected members of the standing committees of the House of Representatives, to wit:

WILLA B. ESICK, of Tennessee, to the Committee on Public Buildings and Grounds and the Committee on World War Veterans' Legislation.

JOEL W. FLOOD, of Virginia, and BRYANT T. CASTELLOW, of Georgia, to the Committee on Foreign Affairs.

The resolution was agreed to.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. BYRNS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13520, with Mr. McMILLAN in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

For the acquisition of sites or of additional land, commencement, continuation, or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the public buildings act, approved May 25, 1926 (U. S. C., Supp. V, title 40, secs. 343-345), and the acts amendatory thereof approved February 24, 1928 (U. S. C., Supp. V, title 40, sec. 345), and March 31, 1930 (U. S. C., Supp. IV, title 40, secs. 341-349), within the respective limits of cost fixed for such projects, \$50,000,000: *Provided*, That no part of this appropriation shall be used for work on the building for the Coast Guard or some other Government activity (Apex Building) authorized by act of March 4, 1931 (46 Stat., p. 1605).

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the appropriation here is \$50,000,000. Reference was made in the President's message to economies. Does this \$50,000,000 permit only the completion of the buildings now under construction and is this so limited that in 1933-34 there will be no new construction of public buildings?

Mr. BYRNS. No; in the opinion of the committee this \$50,000,000 is amply sufficient to carry on all the work they can possibly do in 1934 under the old program, according to their statements. There are two programs and this does not refer to the relief program. Money for the relief program has been appropriated and this item applies only to the old program. In the opinion of the committee, after hearing the statement of those who came before us, it was very clear to every member of the committee that \$50,000,000 would be amply sufficient and, personally, I think it could be reduced possibly a little more, but the committee did not want to be put in the attitude of curtailing this program.

Mr. LAGUARDIA. Assuming that the present financial depression and unemployment continue, will this be sufficient to permit construction of projects not yet started?

Mr. BYRNS. If they are authorized this would permit the beginning of construction; yes.

Mr. LAGUARDIA. May I ask the gentleman this question: Under the provisions of the so-called relief bill—I generally refer to it as the Reconstruction Finance Corporation bill No. 2—are there any projects under construction authorized therein?

Mr. BYRNS. They contemplate spending from \$15,000,000 to \$18,000,000, it was explained, between now and July 1. I do not think there is any construction at this immediate moment, but they say that by July 1 they will have expended from \$15,000,000 to \$18,000,000 out of the \$100,000,000 which was appropriated. This is the status of the new relief program:

There are 410 projects which have been approved to date under that program.

There are 50 projects in the drawing stage with a total limit of cost of \$24,648,000.

There are 21 projects, with limits of cost aggregating \$9,186,500, ready to be placed in the drawing stage.

Site reports have been made and are waiting action in 17 projects, involving limits of cost of \$7,500,000.

Site agents are inspecting sites for 107 projects, involving total limits of cost of \$22,208,000.

Bids are being opened for sites for 217 additional projects, involving approximately \$21,500,000.

Site agents will be assigned to investigate them as soon as they can be made available.

Mr. LAGUARDIA. That is just the point I want to raise. If I remember correctly, we amended the law so as to give sufficient latitude to the Office of Supervising Architect to hire, retain, and obtain architects and the technical and professional help necessary in order to give immediate life to the provisions of the relief bill. There is very little comfort in this list. For instance, the reference to site agents does not mean that anybody is being put to work except the agent who is selecting the site. The purchase of the site brings no immediate and direct relief. Putting a project in the blue-print or drawing stage is of no relief.

My complaint is that the provisions of the relief bill were not carried out in a sufficiently expeditious manner as to get this construction work going, because now is the time we need this relief. Perhaps, next year—I hope, at least—the need may not be so great, although I have my personal doubt about that.

[Here the gavel fell.]

Mr. BYRNS. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS. I may say to the gentleman that the relief bill was approved and became law, I think, in June.

Mr. LAGUARDIA. Yes; just before we adjourned.

Mr. BYRNS. Under its provisions the Secretary of the Treasury was required to certify that the money was available or would be made available.

Mr. LAGUARDIA. Yes.

Mr. BYRNS. And this certification was not made until about the 1st of September. I can not tell the gentleman why the delay occurred, but those are the facts, as I understand them.

Mr. LAGUARDIA. May I ask the gentleman this question, because I know he has intimate and complete information: Is the Office of the Supervising Architect up to date? Has that office completed the plans and the diagrams so that if we were to obtain certification of available funds, immediate construction could be commenced?

Mr. BYRNS. I have stated to the gentleman what the situation is in the Office of the Supervising Architect, that immediately upon ratification they were diligent in beginning this work.

Mr. LAGUARDIA. I want to call the attention of the chairman to this situation. I believe we ought to provide in this bill that the material, particularly stone, ought to be purchased in that section of the country where the building is located whenever it is possible.

I have heard some most startling facts concerning practices, particularly the purchase of stone, so as to give a practical monopoly to one particular group of quarries. I have received complaints, particularly from New England, and I think in the Tennessee district that have available supplies of stone.

The specifications are limited to one or two qualities of stone, and generally go so far as to insist that they come from certain localities, which causes a practical monopoly of one particular kind of stone that I have in mind, or one group.

Mr. BYRNS. I understand from the Assistant Secretary of the Treasury that every effort is made to recognize the various localities in the selection of stone.

Of course, bids are submitted after they are called for, and of course it is necessary for those submitting bids to



come within the law. With reference to two buildings in my State which the gentleman has alluded to, I happen to know that material is used from the State of Tennessee.

Mr. SABATH. How about Indiana?

Mr. LAGUARDIA. I am coming to that.

Mr. BYRNS. I think there is not only a disposition but an effort on the part of the Treasury to give consideration to all localities where there is a suitable supply of building stone.

Mr. LAGUARDIA. I know of a case—an actual case, not a hypothetical case—where specifications were made for a given kind of stone. The contract was awarded. One bidder bid \$3,000,000 and the next bid was \$1,400,000, which was accepted. And that was rejected by the Treasury Department.

The general contractor awarded the contract to a contractor for Indiana limestone but not the Indiana Limestone Co. They first objected that they did not have a satisfactory bond, and then objection was made on the stone, that it came from two or three quarries, as if nature put a boundary line between quarries in that region. It was the same quality of stone. But the building was held up, and the unsuccessful bidder came to the general contractor and said that they would take off \$400,000. The general contractor said, "You are still high"; and, to make a long story short, when they saw that the general contractor was within his rights, then the favored bidder came in and said, "We will take off \$1,300,000."

If the contractor had not had the resources to fight and defy the Treasury Department, he would have been compelled to pay \$1,300,000 more than the stone was worth.

I had my experience when I was president of the Board of Aldermen in New York City. I was in the minority there, as I am here. They put through a contract paying this same crowd \$1 a cubic foot for curbstone more than the same stone could be bought for. I raised such a howl about it that the contract was canceled. Then they put a roof over the foundation. They waited until I went out of office and then renewed the job. I think that we should provide in this bill that the stone should be purchased in the locality where the building is erected if it can be done. I think that is reasonable, and it will break down the strange hold of this monopoly that this favored group of politicians seems to have in the Treasury Department.

The Clerk read as follows:

Repairs and preservation: For repairs and preservation of all completed and occupied public buildings and the grounds thereof under the control of the Treasury Department, and for wire partitions and fly screens therefor; Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto; care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per cent of the annual rental of such buildings: *Provided*, That of the sum herein appropriated not exceeding \$200,000 may be used for the repair and preservation of marine hospitals, the national leprosarium, and quarantine stations (including Marcus Hook) and completed and occupied outbuildings (including wire partitions and fly screens for same), and not exceeding \$24,000 for the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings in the District of Columbia: *Provided further*, That this sum shall not be available for the payment of personal services except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building, \$850,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I recall that last year we incorporated in this bill a limitation denying the right to the Treasury officials to alter the façade of the State, War, and Navy Building, and also to make any alteration in the old Government Post Office Building. Has such a provision been carried again in this year's appropriation bill?

Mr. BYRNS. No. We did not carry it, because that has been construed as permanent law, and it will require affirmative action on the part of Congress before they can proceed with these alterations. That question was asked particu-

larly of those who came from the Supervising Architect's Office, and they stated that it was permanent law, in their opinion.

Mr. STAFFORD. Then, it was not necessary to place that restriction on executive activities in this bill?

Mr. BYRNS. No.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BRIGGS. Did the Comptroller General ever express an opinion as to whether that is permanent law, or is that just a superficial expression of opinion by some one without authority as to whether it is or not?

Mr. BYRNS. If the gentleman will permit me, I will read the proviso, and he will see that there can be no question about it.

Mr. BRIGGS. I know that when it was under consideration we doubted as to whether it was binding or mandatory, and whether it would be observed.

Mr. BYRNS. Here it is:

*Provided*, That no part of this or any other appropriation for the construction of public buildings shall be used for the remodeling and reconstructing of the Department of State Building under the authorization heretofore contained—

And so forth.

Mr. BRIGGS. But that does not refer to any other appropriation hereafter made, does it?

Mr. BYRNS. Oh, yes; any other appropriation.

Mr. BRIGGS. I thought that referred to any other appropriation passed by the Congress at its last session?

Mr. BYRNS. Oh, no; there is no limitation.

Mr. STAFFORD. If that is the construction placed on it by the distinguished chairman of the committee, what is the need for the paragraph at the top of page 35, where you forbid any part of the appropriation being used for the Coast Guard Building or other Government activity?

Mr. BYRNS. That was carried for only one year. That was a limitation as to the work to be done this year, and it was necessary to carry it for the next year.

Mr. STAFFORD. So that the department officials construed the language carried in last year's act as permanent law?

Mr. BYRNS. Yes; and they were specifically asked whether or not in their opinion it was permanent law, and they stated that it was.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield again?

Mr. STAFFORD. Yes.

Mr. BRIGGS. In order to ask the chairman of the committee what provision has been made for protecting the Government against exorbitant fees paid outside architects, such as, for instance, in the matter of the State, War, and Navy Building, where the Government has been compelled to pay \$135,000 to an architect named Wood for plans and specifications for remodeling that building, when apparently he has never done anything more than prepare the plans and specifications, without a day's supervision. I do not know whether the specifications and plans were entirely completed. He collected \$45,000 in addition to \$90,000 paid to him for the plans and specifications. He brought suit against the Government in the Court of Claims for \$90,000, and it was compromised for \$45,000. They paid him \$90,000 for the plans and specifications, and then he sued for \$90,000 more. In other words, his full claim against the Government amounted to \$180,000, without one bit of work being done on the State, War, and Navy Building that required one iota of his attention. The Government compromised the suit for \$45,000, so that he gets, all told, \$135,000 from the Government. Has the committee taken any action to protect the Government against such outrages, because that seems to me to be an outrage.

Mr. BYRNS. There is a law permitting the employment of outside professional services.

Mr. BRIGGS. I appreciate that.

Mr. BYRNS. The question as to the contract to be made is one of administration. They made that contract on the basis of 4.8 per cent.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BRIGGS. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS. The usual architectural fee in private business is 6 per cent. That is what is usually paid to architects.

Mr. BRIGGS. But the 6 per cent should not run on these enormous sums involved in these Government buildings, should it?

Mr. BYRNS. No; it is 4.8 per cent. There is a sliding scale. Mr. Martin was asked about this, and he replied as follows:

The contract with Waddy B. Wood for architectural services in connection with the remodeling, refacing, and reconstruction of the State, War, and Navy Building, Washington, D. C., was entered into by the Treasury Department under date of July 10, 1930.

Under this contract Architect Wood completed the working drawings and specifications for the work and was paid on account of said contract the sum of \$90,000. Congress then enacted legislation, the effect of which was to postpone this construction project indefinitely. As the result, Architect Wood, on April 7, 1932, filed suit in the Court of Claims for damages amounting to \$90,000.

This claim was compromised by the Treasury Department for \$45,967, and that amount was paid to Architect Wood on July 23, 1932.

Mr. ARNOLD. Do you propose to go on with the State, War, and Navy Building?

Mr. MARTIN. No, sir. We can not do that unless Congress gives its consent.

Mr. BRIGGS. Does not the gentleman think that a provision ought to be made in these contracts for the protection of the Government, where the Government cancels the building operations, so that the Government is not obligated for all of the architectural fees that might be claimed by architects had the Government carried out its original plans and constructed the building with all of the supervision required on the part of the architect and the other duties incident to the contract?

Mr. BYRNS. I doubt that that would be done in private business and, as a matter of fact, it will probably never occur again in the case of the Government. Mr. Wood was employed by the Treasury Department with the understanding that he was to receive a certain amount of money for plans and specifications. He performed his part of the contract. He did what he promised to do, so they tell us, and then Congress came along and said:

We are not going to let you do that work down there.

And Congress stopped him.

As I see it, he performed his part of the contract.

Mr. BRIGGS. And he got paid for what he did.

Mr. BYRNS. I have no doubt the court would have given him full compensation if the case had proceeded to judgment.

Mr. BRIGGS. But does not the gentleman think in this connection that the Government can protect itself, where it cancels these projects, so that it is not obligated for a large sum of damages in the future? Then the law would become a part of any contract, and it would not obligate the Government to pay damages in the sum of unearned fees, which might have been earned had the project been carried through to completion.

Mr. BYRNS. Certainly, the Government could make a contract of that sort, but that is a question of administration.

Mr. BRIGGS. Does the gentleman not think that ought to have been done?

Mr. BYRNS. I think it would have been proper under the circumstances of that case, and possibly in all of them. Of course, I do not know what effect that would have upon the kind of contract to be made, and the cost to the Government, but it would have been very fortunate if we had that kind of provision in this contract, but that is a question of administration.

Mr. BRIGGS. May I ask the gentleman a further question? Does the gentleman think it would have resulted in far greater savings to the people if the Supervising Architect's Office had been employed to construct the plans, rather than obligating the Government to these enormous fees such as are instanced in this case, and which, of course, have probably been duplicated and multiplied many times in the fees paid out in the construction of this great Government program in the District of Columbia?

Mr. BYRNS. Of course, that is problematical. The Supervising Architect's Office states that on account of the tremendous building program it would be absolutely impossible for it to draw all the plans and specifications necessary, and we would have to increase their force immeasurably to do that. They claim that in this way it is cheaper, with reference to certain of the more important projects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNERY. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. CONNERY: Page 37, line 7, add the following: "Provided further, That no part of the moneys appropriated in this bill shall be used to pay contractors for public buildings to be erected or remodeled where the stone is specified to be quarried outside of the locality where such public building is to be erected or remodeled."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LA GUARDIA. Will the gentleman yield for a friendly suggestion?

Mr. CONNERY. I yield.

Mr. LA GUARDIA. I fear the word "locality" is too narrow. It should be "section of the country" instead of "locality."

Mr. CONNERY. That is true. I ask unanimous consent to change the word "locality" to "section."

The CHAIRMAN. Without objection, the amendment will be so corrected.

There was no objection.

Mr. CONNERY. This is along the line of what the gentleman from New York [Mr. LA GUARDIA] was speaking a short time ago. We have had much trouble on this matter. In the specifications many times they will put out a specification for pink granite or a certain color of pink and white granite. Evidently the idea is that some concern which has had a monopoly on this is to be taken care of by these specifications. I am sure the Members will all agree that we want to be fair to every part of the country. There are quarries all over the United States, and I think it is only fair and reasonable that the men who work in those quarries and the men who own those quarries in that section of the country should be taken care of when public buildings are erected in their localities. Up in our section we have the Quincy granite.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. COCHRAN of Missouri. Will this apply to buildings now under construction or to future buildings?

Mr. CONNERY. No; to future buildings.

Mr. COCHRAN of Missouri. That is specified in the amendment?

Mr. CONNERY. Yes; it reads "to be erected."

Mr. COCHRAN of Missouri. I am in sympathy with the gentleman's idea, but where will you get the stone for the city of Washington?

Mr. CONNERY. They have had no trouble. It will be gotten in this general locality, so that we will not need to go to California to get stone for the city of Washington, or to Texas to get stone for Massachusetts, with men unemployed in the Quincy quarries.

Mr. COCHRAN of Missouri. Does the gentleman not think that if we provide that no part of the stone used should come from Indiana the whole thing would be settled? [Laughter.]

Mr. BLANTON. Will the gentleman yield?

Mr. CONNERY. I yield.



Mr. BLANTON. Will the effect of the gentleman's amendment be that all quarries will have a chance to make bids?

Mr. CONNERY. That is what I am trying to get at.

Mr. BLANTON. I am in favor of the gentleman's amendment. I think the Treasury Department has ignored the rights of many quarries. I do not know who arranged it that way, but it is arranged so that certain quarries have the advantage over a great many others all over the United States.

Mr. ARNOLD. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. ARNOLD. Under the gentleman's amendment, if there is only one quarry in a community where a building is being erected, would that not effectively cut off all competitive bidding?

Mr. CONNERY. Well, I suppose it would, when we get right down to it, but the gentleman sees what I am after in this amendment. We have had conditions, where only the big quarry would have a monopoly on practically all of the public buildings. In answer to the gentleman from Texas, I said it was my idea to have competitive bidding; but, for instance, suppose they are building a post office or a public building down in Texas, we do not want them to come up to Massachusetts and buy stone there for Texas, when there are men out of work in those quarries, and when those men are in business down there. It is just a fair proposition for the whole country.

Mr. ARNOLD. It occurs to me that the gentleman's amendment, as drawn, instead of preventing a monopoly is creating a monopoly.

Mr. CONNERY. It could not create a monopoly, because if you take the Indiana situation, where they practically have a monopoly now, the quarries in Massachusetts would have a break in Massachusetts instead of having to get Indiana limestone up to Massachusetts.

Mr. LUDLOW. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. LUDLOW. The gentleman speaks about the desirability of securing stone from the immediate vicinity. Where in the world would the gentleman get stone around Washington sufficient to build all of these enormous Government structures?

Mr. CONNERY. Well, you might not get it around Washington, but you could get it out in the general locality and in other States near Washington. Washington is not the only city where public buildings are being built.

Mr. LUDLOW. There is an enormous demand for stone to carry out the stupendous building program at the National Capital. Where would the gentleman get the stone, since there is no natural resource of that character in this region?

Mr. CONNERY. You could get it near enough to Washington, in some of the surrounding States—Ohio or some place else.

Mr. GOSS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. GOSS. When the gentleman is through with his debate, would he be willing to present a unanimous-consent request to amend his amendment to include the word "act" instead of "bill," because when a bill is enacted into law it then becomes an act?

Mr. CONNERY. Yes; I will be glad to do that.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent that I may have five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CONNERY. I ask unanimous consent, Mr. Chairman, to change the language of the amendment by changing the word "bill" to "act."

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BRIGGS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. BRIGGS. I understand the gentleman desires to provide that preference should be given to those localities that are capable of furnishing the stone?

Mr. CONNERY. Yes.

Mr. BRIGGS. And other building material?

Mr. CONNERY. Well, I do not say "other building material." I will be glad to do that; but right now we are on stone, and I do not like to go too far afield. If we can get by with this, we will get the other later.

Mr. BRIGGS. But the gentleman wants a preference where a section of the country can furnish that?

Mr. CONNERY. Yes. I do not want California to be sending stone to Washington, or Texas to be sending stone up to Vermont.

Mr. BRIGGS. I am in sympathy with that provision.

Mr. BYRNS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. BYRNS. I see two important objections to the gentleman's amendment. In the first place, I think if such an amendment is adopted, it will serve to cut off competition in a great many instances, and we will have no competition in most of the building projects, for they will be confined in the choice of stone to some quarry in the immediate neighborhood.

In the second place, I think the gentleman's amendment is so drawn as to apply to contracts already made, and the question would then arise as to what will become of a contract made with the idea that the contractor is getting stone from a certain locality, if Congress comes along providing he shall not use that stone.

Mr. CONNERY. It says it shall apply to buildings erected in the future.

Mr. BYRNS. They may be already under contract.

Mr. CONNERY. I will accept an amendment, if the gentleman wants to offer it, to the effect that it shall not apply to contracts already let.

Mr. BLANTON. The law itself would keep it from applying.

Mr. BYRNS. No; not in respect to this, because this limits this appropriation. This says that this appropriation shall not be used, so it does not matter what the law is, this appropriation could not be used for the purpose.

Mr. CROWE. I want to ask the gentleman this question: The gentleman mentioned the Indiana stone as having a monopoly. I deny that such is the case.

Mr. CONNERY. Indiana probably has not got a monopoly, but it is so close to it that you could call it a monopoly.

Mr. KELLER. The monopoly began on the 8th of November.

Mr. CROWE. It is recognized as one of the leading building stones of the Government. It is used in a greater percentage of Government buildings here than other stone.

Mr. CONNERY. Understand I have no brief at all against Indiana or Indiana limestone. I merely want to see that these other localities are taken care of.

Mr. LUDLOW. Suppose it is true that the Government is to erect a building in a certain vicinity which is notoriously inferior as to building materials; that building materials of the proper quality are only to be had at some distance. What would happen in such a case?

Mr. CONNERY. That could be put into the specifications and taken care of. When they ask for a certain type of marble that can be written into the specification. For instance, in this last bill we had Vermont granite, and Massachusetts granite. The kind of stone was set out in the specifications, and they had to get the pink or white granite from the places that could supply it.

Mr. KELLER. Does the amendment include brick and other building material?

Mr. CONNERY. No. I wanted to get something that was in front of me, and I was afraid if I reached too far I might lose all.

Mr. COCHRAN of Missouri. Does the gentleman know they are using Italian marble in the interior of the Supreme Court Building?

Mr. CONNERY. I suppose they have to use Italian marble in some instances if it is specified. I am against Italian marble if we can get suitable American marble.

Mr. COCHRAN of Missouri. Does not the gentleman think we should pay Government money to buy American-made goods?

Mr. CONNERY. I will say to the gentleman from Missouri that if we have marble in the United States which is the equal of the Italian marble, I think we ought to use the United States marble.

Mr. LaGUARDIA. I will say to the gentleman that we have. Take the blue marble of Tennessee and the Georgia marble, for instance.

Mr. CONNERY. I believe we have it.

Mr. COCHRAN of Missouri. Do not overlook the Missouri marble; that is very fine, too.

Mr. EATON of Colorado. Do not forget the Colorado Yule marble, of which our Lincoln Memorial is built.

Mr. BYRNS. There has been a reservation of a point of order on this amendment. Now it occurs to me we ought to settle the point of order before taking up the amendment. The point of order against the amendment was that it changes existing law and is legislation on an appropriation bill.

Mr. LaGUARDIA. Mr. Chairman, I make the point of order the gentleman can not be taken off the floor.

Mr. CONNERY. Mr. Chairman, I will not take any more time of the House.

Mr. BYRNS. The gentleman is discussing the reservation now, and that is subject to the Chair.

Mr. GOSS. He withdrew the reservation of the point of order.

Mr. STAFFORD. The gentleman has no right to speak for me.

Mr. CONNERY. Mr. Chairman, in conclusion, I will take no further time of the House. I hope this amendment will be agreed to.

Mr. BANKHEAD. Mr. Chairman, I demand the regular order on the reservation of the point of order. Let us get that disposed of.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BYRNS. Mr. Chairman, I make the point of order that this is legislation on an appropriation bill, and that it changes existing law.

Mr. LaGUARDIA. Mr. Chairman, I would like to be heard on the point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order it comes too late.

Mr. CONNERY. Mr. Chairman, I believe this is a limitation on the appropriation and is not legislation on an appropriation bill.

Mr. LaGUARDIA. Mr. Chairman, I would like to be heard on the point of order.

Mr. Chairman, this clearly is a retrenchment, because the Chair must take judicial notice that stone must be transported. It can not be "wished," even by the chairman of the Committee on Appropriations, from one locality to another, and therefore limiting the particular stone to come from the section in which the building is to be located in and of itself implies economy. Surely, under the wide latitude given to this particular bill now under consideration, it comes with very bad grace—and I say this with all kindness—from the chairman of the Committee on Appropriations to raise the point that there is legislation in this bill. Why, this bill is just loaded with legislation, and here you have an opportunity, Mr. Chairman, to carry out the economy which is so much to be hoped for in this bill. The amendment stops monopoly. It calls for competition, and will result in a saving to the Government in cost of transportation.

Mr. BYRNS. If my friend will yield, is not the very reverse of that true? Does the amendment not create monopoly in that it prevents the acquisition of stone from any place except in the immediate neighborhood where the

building is to be erected and in that sense create rather than prevent monopoly?

Mr. LaGUARDIA. The gentleman assumes that all the stone in any one section is owned by one interest; when, as a matter of fact, competition is very keen in these sections. The competition in Vermont marble or in Tennessee marble is very keen, and the situation there is not like the situation in other localities referred to this afternoon.

Mr. BLANTON. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. BLANTON. Near one little town of Lueders, Tex., in my district, there are three big limestone quarries, all competing with each other, and they have in Burnet and Llano Counties large granite quarries, all in the same section of Texas, in my district. This amendment does not create any monopoly, but permits local quarries to have a chance to get their output used in Government buildings.

Mr. LaGUARDIA. And compete among themselves.

The CHAIRMAN (Mr. McMILLAN). The Chair may say that the Chair is interested in the point of order, and not in the merits of the question, at this time.

Mr. WOOD of Indiana. Mr. Chairman, I desire to speak briefly on the point of order.

The gentleman from New York [Mr. LaGUARDIA] has just said that this comes within the rule because of the fact it shows a retrenchment of expenses. In order for the amendment to come within this rule it must be patent upon its face that it does that very thing. It must do that, and in order for it to come within the rule there must be no question in the mind of the Chair but what the amendment does show a retrenchment of expenditures. Can the Chair say that this amendment is going to retrench expenditures because of the fact that a peculiar stone is peculiar to a particular locality where the building is to be erected? This may or may not be true. There may be a stone in a given locality that is of such a character that the very milling or preparation of it would cost more than a stone in some other locality plus the cost of shipment, or vice versa. So I say it is clearly not within the rule of retrenchment, because that must be shown on the face of the amendment so that the Chair can say in dollars and cents what the retrenchment is, or as a result of the showing can say that there are dollars and cents saved by reason of the amendment.

Mr. CONNERY. If the gentleman will permit, my point is that this is a limitation and is not legislation on an appropriation bill.

Mr. WOOD of Indiana. It can not be a limitation because of the fact it does not restrict the building with respect to the material to any particular kind or quality. It is to be built of stone. It does not say it shall be built of a particular character of stone, because there may be a dozen different kinds of stone in the same locality. There may be limestone or there may be marble or some other kind of stone in the same locality. It is therefore bad because of uncertainty.

Mr. CONNERY. But it limits it to that particular locality.

Mr. LaGUARDIA. Mr. Chairman, I desire to call the attention of the Chair to a ruling made by the House overruling a decision by Speaker Longworth. The Chair will recall that the point was raised in an Oregon bridge proposition, the reverse of the proposition now before us, and there the point was raised that the expenditure must appear in the face of the bill, and Speaker Longworth so held. Later the House reversed that ruling when the point was raised on the bill introduced by the lady from Florida [Mrs. OWEN] in the Everglades Park matter, the Chair holding to the previous ruling, held that it did not appear in the face of the bill that there was an expenditure, and the House overruled that decision. So the reverse in this instance is true.

I disagree with the gentleman from Indiana [Mr. WOOD]. If common sense, if the very facts, would indicate to the Chair that there is a saving in expenditure, the Chair need not look for specific figures or words in the bill, as suggested by the gentleman from Indiana.

Mr. LUDLOW. Will the gentleman yield?

Mr. WOOD of Indiana. I yield.



Mr. BLANTON. Mr. Chairman, I would like to be heard on the point of order when the gentleman from Indiana has concluded.

Mr. LUDLOW. I would like to ask the gentleman this question: Is it not true that in many instances this amendment may increase in the charge on the Public Treasury, because the local material may be a very costly material, yet it would be necessary under this amendment to build the building of that local, costly material?

Mr. WOOD of Indiana. That is true.

Mr. CONNERY. On the other hand, it could decrease it, too.

Mr. WOOD of Indiana. And the very exception that the gentleman from Massachusetts [Mr. CONNERY] is making shows it can not come within the rules with respect to showing a retrenchment, and in order for it to come within that rule a retrenchment must be shown in every individual case, even if this were a limitation, and that can not be done because of the facts stated with respect to the various kinds of stone that may be found in this same section.

Mr. BLANTON. Mr. Chairman, I would like to be heard for just a moment on the point of order.

To overrule this point of order it is not necessary for the Chair to hold that this amendment retrenches expenses and comes within the Holman rule. It is a limitation.

The question is, Is it a proper limitation? The Chair will remember the old case that has been cited so many times, where it has been held that an amendment can be offered which prevents money being paid to a person who has red hair. That is a limitation held in order. However ridiculous an amendment may be it is not a violation of the rule, where it is a proper limitation.

Mr. STAFFORD. Will the Chair indulge me to make an observation? There have been a great many rulings by Chairs on the questions of limitation. A favorite example has been given by one whom I regard as the greatest of all parliamentarians in the last generation, the Hon. James R. Mann, of Illinois, where he held that a limitation withholding money for the payment of white horses or grey horses or sorrel horses was in order.

However, I wish to press this fact, that you will find plenty of decisions going back to the old days where chairmen of committees distinguished between withholding money where it did not violate any existing law and where it did trench upon existing law or the discretion that is lodged in the department heads.

This amendment seeks to change existing law. It is not merely withholding money. It is more than that, it is legislation as to the authority of the department head in exercising its discretion as to the character of the contract or the character of the specifications that should be made.

It is true Congress has the right to withhold appropriations, but Congress has no right under the form of a limitation to change existing law. This substantially changes existing law, in that it invades the authority existing in the Treasury officials in the proper performance of their duty. If we are going to establish that principle we could go farther and do it without any limitation at all, and say that an amendment would be in order regardless of whether it affects existing law or not. This is a limitation that changes existing law in that it interferes with the discretion now lodged in the Treasury officials in the performance of their duty as to the character of the specifications and the material that may be used in public buildings.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call attention to a decision that I think is apropos to the question before the House at this time:

Such limitation must not give affirmative direction and must not impose new duties upon the executive officer.

There is no question but that this is giving affirmative direction, and the gentleman calls it a limitation. It is a proposition to change the rule and policy adopted, which has been followed for years by the Treasury Department.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Massachusetts

seeks to apply a restriction to the use of the appropriation by the department.

As far back as 1896 (Hinds, IV, 3936) it was held by Chairman Dingley that—

An appropriation bill may deny an appropriation for a purpose authorized by law, so it may by limitation prohibit the use of money for part of the purpose, while appropriating for the remainder of it.

In 1911 (Cannon's Precedents, sec. 8748) it was held by Chairman Tilson that—

A limitation may deny an appropriation for a purpose authorized by law. A provision that no part of an appropriation be expended for a reformatory within a radius of 10 miles from Mount Vernon, except to one now at Occoquan, was held to be a limitation and in order on an appropriation bill.

The Chair, therefore, feels constrained to the belief that this is a restriction upon the use of the money provided in this bill and is a proper limitation. The Chair, therefore, overrules the point of order.

Mr. BANKHEAD. Mr. Chairman, I ask recognition in opposition to the amendment. Candidly I do not know whether I am prepared to vote for or against the amendment, because I do not know that I am in a position to accurately interpret the provisions of the amendment. This debate has resolved into what Hancock said in respect to the tariff. It has gotten to be a local issue. I have a very fine limestone quarry in my district, and if any gentleman doubts the quality of that limestone, then I suggest that when he goes over into the new House Office Building he look around at the interior finish and he will then be convinced, because that stone came from the tenth district of Alabama.

Mr. LUDLOW. But under this particular amendment none of that material would ever be used in the city of Washington.

Mr. BANKHEAD. That is a question I am coming down to. Let me inquire of the gentleman from Massachusetts whether or not he uses the word "section" in his amendment to prevent the use of Alabama limestone in the construction of buildings in the city of Washington?

Mr. CONNERY. That is up to the Supervising Architect.

Mr. BANKHEAD. The word "section" is a very elastic phrase. Having doubt in my mind as to how that might be construed, out of an abundance of caution for the protection of my local industry in Alabama, as applied to this measure, I shall have to oppose the amendment.

Mr. HOGG of Indiana. Mr. Chairman, I rise in opposition to the amendment. It seems to me that the wrong method to save money for the Government is this attempt to eliminate competition. It would be a fine thing, indeed, if all building materials could be purchased in the community where they are to be used. But we are a nation, and each part of the country has a right to contribute its part to the buildings of the entire country. No one has yet shown that there have been shortcomings or unnecessary expenditure in the letting or execution of any contract wherein Indiana limestone has been used. If there had been, the law prescribes a proper method of relief. If the Indiana limestone is not entitled to be used in every instance where it has been selected, then the office of the Comptroller General of the United States can and will hear anyone who has an objection to make. The fact that no objection has even been made to the Comptroller General, much less substantiated, proves how unfounded are the rumors which we sometimes hear.

It is now proposed in the amendment by the gentleman from Massachusetts [Mr. CONNERY] that we eliminate a great number of bidders and require the stone be quarried in the neighborhood where it is used. That is not the way to have lower bids. You can never have lower bids by eliminating those who have been bidding lower than those who could not get the contracts.

It is interesting in this connection to notice that throughout the Nation many of the most outstanding buildings, including the Tribune Towers and Radio City, have been constructed of Indiana limestone. In Washington many of

these beautiful structures are constructed of Indiana materials. All of this has been done in the face of the strictest competition from the entire country. Everyone admits that Indiana limestone has permanent quality at low cost.

I call attention of the House to the fact that the greatest cost in the erection of new Government buildings is the exorbitant price which the Government must pay for the site on which the building is to be erected. This is due to the same sort of thing that the provision of the gentleman from Massachusetts would endeavor to bring about in respect to building material. Only a limited number of bidders can submit their bids for the consideration of the Government. In 10 cases out of 10 the Government of the United States by necessity has been forced to pay an exorbitant price for the land on which to construct its buildings, simply because the number of bidders is necessarily limited. I submit to the gentlemen of this House that no greater setback could befall open competition than to limit the number of individuals who would be permitted to offer their material for the use of the Government. I hope, in the interest of economy, that this amendment will not prevail. [Applause.]

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. The State capitol at Austin is built out of granite. It is one of the finest capitols in the United States. The granite that went into that building came from two counties in my district, the counties of Burnet and Llano. Three million acres of land in Texas were paid for that capitol building, and some of that land to-day is worth \$30 an acre, so you may know what kind of a building it is. In one place in my district, at Lueders, in Jones County, there are three big limestone quarries that quarry some of the finest limestone in the world, Indiana limestone not excepted. In San Saba County, in my district, is quarried some of the finest marble in the United States, and I do not except Vermont marble or Tennessee marble or Georgia marble or Missouri marble when I make that statement. Yet these various quarries that I have mentioned, and there are others in that vicinity, have not been able to get even one of their bids considered by the Treasury Department in offering stone for Texas construction. The Treasury Department has a way, and I do not know whether it was influenced by our distinguished friend from Indiana [Mr. Wood] or not, but in their contract specifications they have a way of fixing some kind of a provision that keeps all of these quarries from getting their stone used. It may be by the use of the word "pink" or some other color that excludes the Texas stone. The Treasury Department ought to see to it that every quarry that can produce the kind of stone that ought to be used in our buildings has a right to put its bid in, and have it considered. That is the reason I am in favor of the amendment offered by our friend from Massachusetts.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. COCHRAN of Missouri. I am interested in that part of the gentleman's statement in which he said that they could not be considered.

Mr. BLANTON. It is because the Treasury Department excludes them before they have a chance to make a bid.

Mr. COCHRAN of Missouri. By reason of certain specifications?

Mr. BLANTON. Yes.

Mr. COCHRAN of Missouri. Why not rewrite the specifications?

Mr. BLANTON. That is what I am trying to get here. I am trying to help the gentleman from Massachusetts pass an amendment that will stop the Treasury Department from creating monopolies in different parts of the country. I want to say with respect to the construction of many public buildings in Texas, the freight we have paid on stone that has come hundreds of miles to Texas, could have been saved if they had taken into consideration the splendid stone that comes from the quarries in Texas.

Mr. LEAVITT. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. LEAVITT. Would it not help the situation to which the gentleman refers if more attention was given to the local architects who are acquainted with the local material, so that it could be specified?

Mr. BLANTON. Some of these days I am going to make a speech on architects in the Treasury Department unless things are changed down there. I am hopeful that soon after March 4 there will be a caucus of incoming Democrats that will change many things that have been going on here in Washington, and the architects' fees and the selection of architects will be one of those changes that I am hoping for.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. COCHRAN of Missouri. It will be Democrats instead of Republicans.

Mr. BLANTON. The gentleman is right. There will be some good Democrats in many of these public positions that will see to it that everybody gets a fair and square deal and a fair and square show on this proposition. [Laughter.]

Mr. COCHRAN of Missouri. But the trouble is that by March 4 they will have selected all the Republican architects, and there will not be any left.

Mr. BLANTON. Oh, there will be plenty more.

Mr. CROWE. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Massachusetts [Mr. CONNERY].

I have considerable interest, not financial, in building stone. There are quarries in various parts of the country, it is true. Some are very local in their scope. I think when building material in quantity and quality is available which is capable of going to the farthest corners of the United States, at a price which is economical to the country, it would be unwise for this committee to pass any bill or amendment which would exclude that stone from being shipped to various parts of the country, particularly when you find stone that built such buildings as Radio City in New York and the Tribune Tower in Chicago; where they competed with all the stone in everyday use in the entire country. There are many buildings built, post-office buildings and other Federal buildings in the United States to-day, by local stone in local communities, in which those communities are given an advantage of many thousands of dollars over prices bid by companies using Indiana limestone. Our Indiana limestone would save many hundreds of thousands and many millions of dollars if it were used in more buildings in the United States—I mean in Government work.

Indiana limestone as a building material stands in a class by itself for durability, beauty, strength, and economy, and is to be had in such large quantities that it can be furnished with hurried dispatch on the largest jobs.

In almost all contracts let the bids disclose and where limestone interests are permitted to bid, they are many thousands of dollars under other building stones of like quality. If limestone was used more extensively than it is now used, it would result in an enormous saving to the Treasury of the United States.

The Treasury should be considered, for after all it is the disbursing office of the people. Extra money spent means more and higher taxes on the people, who are, as we all know, overburdened with taxes.

There is no monopoly of Indiana limestone. Nature has filled the hills of several southern Indiana counties with hundreds of millions of cubic feet of this outstanding building stone.

Strong companies, many of them, by good business ethics, have put the limestone industry of Indiana on a strong and solid footing, thereby competing in the open market in private industry all over the United States.

These companies should have the same opportunity to compete on Government jobs in any part of our Nation and not be hampered by unwise, unfair legislation.

Mr. LOZIER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts [Mr. CONNERY]. The purpose of this amendment is to curb



the power of the building-stone monopoly now enjoyed by a certain Indiana limestone quarry and to permit quarries in other sections to compete for public buildings in their respective localities. Under the present system, no matter where a Federal building is being constructed, this Indiana corporation generally furnishes the material, although there may be just as good building stone available close to the community where the building is being constructed.

I think it is poor policy for the Government to so fashion the specifications for public buildings and so conduct its building operations as to create a monopoly for certain quarries in certain favored sections of the Nation. It is generally understood that this Indiana quarry has been able to very largely monopolize the public building program of our Government as a result of our bureaucratic system and as result of a discriminating method of preparing specifications and as a result of the improper exercise of a discretion vested in the Treasury officials. This monopoly is fostered to the detriment of quarries in other States that are in a position to furnish material of just as fine quality for the construction of these buildings.

It is urged that the Indiana quarry underbids the smaller quarries in different sections of the United States. This may be true occasionally, but its ability to underbid its competitors is the result of governmental favoritism. It is because the Government, for a quarter of a century, has nurtured, babied, and favored this particular quarry; and by getting practically all the contracts, it may be able to underbid and undersell the local quarry. In constructing public buildings, a preference should be given the quarries in the State in which the buildings are being erected.

In Missouri we have a wonderful State house, costing several million dollars, built without even a suggestion of graft, one of the most remarkable of the 48 State capitols. It is built of Missouri stone. The quarries at Carthage, Mo., are famous the world over. There may be found an unlimited supply of probably the best all-around building stone in America. There is no architectural requirement that this Carthage stone and other Missouri stone do not measure up to, but building operations are so monopolized and manipulated that most of the Federal buildings in Missouri are built not of Missouri limestone or marble but of limestone from Indiana.

I appeal to this House to break the power of this Indiana quarry monopoly and give the quarries in other States an opportunity to participate in the building operations of our Government. There is no reason why all of our public buildings should be constructed out of the same stone or embody the same type of architecture. If this amendment is adopted it will mean the employment of labor in many quarries now idle. I think this amendment embodies a wise public policy; and whenever and wherever it is possible, the Treasury Department should be required to give preference to the stone quarried in the State where the building is being erected, assuming of course that the use of local stone is substantially as economical.

Mr. ARNOLD. Mr. Chairman and gentlemen of the committee, I am not interested in limestone; I am not interested in marble; I am not interested in granite; but I am interested in the Treasury of the United States. If we want to protect the Treasury, we should defeat this amendment.

Gentlemen talk about breaking up a monopoly by the adoption of this amendment. Mr. Chairman, we are permitting monopolies to thrive when we adopt this amendment, by requiring stone for public buildings to come from a section where the building is being erected, thereby limiting the field of competitive bidding to restricted areas.

Now, what is a "section" where the building is being erected? Certainly when you circumscribe the field of competition, you disqualify many competitive bidders. Eliminate competitive bidders and you are at the mercy of those remaining in the restricted area. What does that word "section" mean? It may be broad and expansive or it may be encompassed in a small area of a very few miles. If an amendment of this kind were adopted and a bid were

offered for stone quarried within 10 miles of where the project is to be erected, another bid offered for stone within 30 or 40 miles of the place where the building is to be erected, might be banned from consideration under this amendment. Would not the Treasury Department, under the language of this amendment, be justified in saying, "We must award this contract to the nearest quarry to the place where the building is to be erected regardless of the amount of the bid." It seems to me there could be no other conclusion reached. "Section" is entirely too indefinite and would lead to endless confusion.

We are all interested in the protection of the Treasury, and we can only protect the Treasury in matters of this kind by keeping open wide the field for competitive bidders.

We have no right to assume contracts will not be honestly awarded. I assume they have been honestly awarded.

Mr. KELLER. That is a violent assumption.

Mr. ARNOLD. Some gentleman says it is a violent assumption. Certainly, if the contracts have been improperly awarded, it is not the fault of existing law. The courts are open for redress or impeachment lies for the offending official. If stone from several miles or several hundred miles away from the place where the building is being erected, of equal or like quality, can be furnished at a lower price, why should not the contract be awarded to the quarry that will furnish stone at the lowest price?

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. ARNOLD. I yield.

Mr. CONNERY. The gentleman says "at the lowest price." Is it not a fact that because they have the monopoly they are able to lower the price and put the small man out of business?

Mr. ARNOLD. When the field of competition is widened monopoly is more difficult. When the field of competition is narrowed you enhance the opportunity for monopoly by destroying to that extent competition; and that is just exactly what this amendment will do.

For the protection of the Treasury of the United States, all of us, whether or not from sections particularly interested in limestone quarries, or in marble quarries, or in granite quarries, should come to the defense of the Treasury of the United States and let these gentlemen who are interested in these particular lines of activity fight out their matters on merit with the Treasury Department as best they can.

[Here the gavel fell.]

Mr. WOOD of Indiana. Mr. Chairman, I want to call your attention to this amendment. If you will give this your attention, there is not a man here who would want to vote for it.

Just see what it will do: It is provided that no part of the moneys appropriated in this bill shall be used to pay contractors for public buildings to be erected or remodeled where stone is specified to be quarried outside of the section where such public building is to be erected or remodeled.

Now, note that no money shall be paid to any contractor for the erection of any building built out of stone that is quarried anywhere outside of the section where the building is to be erected. You can readily see that there will be confusion confounded. What is the section? What is the limitation of the section? How many different characters of stone may there be in a limitation of the section? It invites lawsuit after lawsuit. It is just simply preventing rather than accelerating public building. You are going to disturb and destroy the whole program afforded for public buildings. You are going to make it necessary to rearrange the whole plan of procedure. You are going to make it impossible to carry out the appropriation made in the relief bill for the further building of public buildings if this amendment, or anything like it, is enacted into law.

Now, gentlemen, we are supposed to act with a degree of intelligence. We are supposed to do that which is best for the community, not our own community but all the communities in the United States. Are we going to be foolish enough to say that no money shall be paid to a contractor for stone in the building of a building unless that stone is

selected from that section where the building is to be built? Why, there might be, and there are, many places in this country where they have no stone.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. I dare say that even in the State of New York they would have considerable trouble, for I understand they have no building stone in the State of New York. Fifth Avenue is built out of Indiana limestone because of the fact that they have no building stone in the State and because of the superior quality and cheapness of Indiana limestone.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. I yield.

Mr. REED of New York. In remodeling a building built of stone it might be necessary, if this amendment is adopted, to do the repairing or remodeling with another type of stone.

Mr. WOOD of Indiana. That is another thing showing how utterly ridiculous it is. Suppose the building which needs remodeling is built of black stone. If this amendment become part of the law, it may cause the remodeling to be done with white stone, and you would have black stone against white or white stone against black. It is so ridiculous I do not think this membership, knowing the contents of this amendment, would want to subscribe to it, or will subscribe to it.

Mr. LUDLOW. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I wish to make two or three observations which I think may be of some interest. This amendment is urged as an economy proposition, but I think it is demonstrable that it would not result in the economies claimed for it, and I think I can prove that by citing at least one concrete example.

I recall distinctly a few years ago a terrific fight was made in this House and in the other branch of Congress over the material that was to be used in a certain monumental edifice in the State of Massachusetts. It fell out that it was decided to use limestone in preference to their native material, which was a great deal more expensive, and thereby a saving was effected of many hundreds of thousands of dollars. I do not know the exact amount.

Mr. KETCHAM. Seven hundred and fifty thousand dollars.

Mr. LUDLOW. The exact saving, I am informed by my friend from Michigan, was \$750,000. Had this amendment been in operation at that time this saving would have been impossible. I can imagine many instances where the amendment proposed by the gentleman from Massachusetts would force the use of very expensive building material because that would be the material produced in the locality, and this would place a heavy and unnecessary burden on the taxpayers of the country.

I wish also, if I may, to call attention to what I conceive to be some of the administrative difficulties in connection with the administration of such a provision. There must be many hundreds of communities in the United States of America where there is no local building material. Then the Treasury Department would flounder around, and by some legerdemain would try to locate some material in some other section of the country, but all of this presents administrative obstacles.

Mr. BLANTON. Will the gentleman yield?

Mr. LUDLOW. I only have a short time, and I would like to finish my argument.

Mr. BLANTON. I want to commend my colleague and his Indiana delegation for having their complete membership here on the floor to protect their monopoly. [Laughter.]

Mr. LUDLOW. The gentleman will agree with me that Indiana limestone is a very excellent building material.

Mr. BLANTON. It is excellent—almost as good as that of Lueders, Tex.

Mr. LUDLOW. And it is a very cheap building material, and there should not be any artificial inhibitions or barriers

put up here to exclude it where it could be used in the public interest anywhere in this country.

Mr. THATCHER. Will the gentleman yield on that point?

Mr. LUDLOW. I yield.

Mr. THATCHER. Is it not the fact that in the building of the George Rogers Clark Memorial granite was used in preference to Indiana limestone, on the idea that it was more appropriate for that purpose?

Mr. LUDLOW. I think those who had that matter in charge conceived that for that particular sort of edifice, for a memorial of that kind, granite was to be preferred, but I am not a member of the George Rogers Clark Commission, and I am only repeating what I read in the newspapers.

Mr. THATCHER. I agree with the gentleman's argument, and the point I am making is that in the erection of public buildings you have to get marble from one section and granite from another section and limestone from another section, because buildings are constructed of various materials and you have to use your discretion in getting what is the best material.

Mr. LUDLOW. The point I am making is that this is putting up an artificial barrier against a very excellent and a very cheap building material. I believe such a barrier would deprive the Government of a most excellent building material and would add millions of dollars to the tax load of the American people.

It is hardly human nature to assume so, but it may be that the people of a community in the United States may not be enamored of their local building material. It may be unsuitable material or it may be undesirable for many reasons, and yet the people who live in that community and who have to look at the Federal building all of their lives would be precluded by this amendment from securing building material from any other section of the country because that is inhibited by this amendment.

I think the arguments are all against this amendment, and I hope it will be voted down.

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the reason we are considering this amendment is not because there is any particular criticism of Indiana limestone, but it has been made necessary by reason of the practices in the Treasury Department in giving Indiana limestone the advantage over every other stone in the country. That is all there is to it, and I will limit it even more than that. Not only have the practices in the Treasury Department given the advantage to Indiana limestone, but they have given the advantage to the Indiana Limestone Co. to the disadvantage of other companies in that State, and I make this statement without a reservation at all, because I know the facts.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. LAGUARDIA. No; I only have five minutes.

There is no question at this time that the amendment, perhaps, is a little crude, but like the granite in the gentleman's State, with a little polish it can be made a very useful amendment and a very useful protection to give an equal chance to other sections of the country.

Limestone is not the last word in stone. The gentleman from Kentucky [Mr. THATCHER] pointed out that right in the limestone section a monumental building was constructed of granite. All that the amendment seeks—and I want to say this to the gentleman from Illinois, who made a very splendid argument—is that specifications should be so drawn as to permit other than Indiana limestone companies to bid; and this is a fair proposition. If the amendment does not do this, it can be corrected by the time this bill is over; but the fact remains, Mr. Chairman, that specifications are now so drawn that other quarries can not bid, and other quarries right in the State of Indiana can not bid under the circumstances.

I want to point out that there is logic when putting up a building, say in New England, that native stone from that section of the country may be permitted to at least be con-



sidered in the bids. The Indiana limestone companies have nothing to lose, because in the scheme of buildings for the District of Columbia limestone will be called for; but if there is limestone in the State of Texas or in other States that matches in quality and in color Indiana limestone, I say that they ought to have a look-in in this large building program that is now going on.

Mr. LUDLOW and Mr. CROWE rose.

Mr. LaGUARDIA. I can not yield now. I only have five minutes, and Indiana has been very well represented.

Mr. Chairman, there is not one quarry on the island of Manhattan, and I have no interest in this matter other than justice and the best interests of the country. As I have said before, I lived through this same limestone monopoly when I was a city official in the city of New York, and I know the tremendous influence it has, the tremendous bipartisan influence it has. I know that an amendment of this kind is conducive to fair administration of the law, and it is conducive to economy, and it is giving every section of the country an equal opportunity to bid in this emergency program which is based on giving employment; and when you are basing a program on giving employment, I say, give every section of the country an equal chance.

Mr. BYRNS. Mr. Chairman, we have discussed this matter for quite a long time and I wonder if we can not close debate and vote. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GREENWOOD. Mr. Chairman, I do not believe that this amendment would be either a measure for economy or a good building policy. I can not agree with the gentleman from New York who has said that Indiana has a monopoly on building stone. The specifications of public buildings are not so written that Indiana can have a monopoly. Only recently a post office was built in Cincinnati on the very line of Indiana, and they built it of Ohio building stone. Indiana had a lower figure, but because of artistic taste and local pride they gave it to Ohio building stone.

We are not a country of sections. We fought that out long ago, and in spending Federal money every producer and every product in the United States should be allowed to bid, and I think under the specifications as they are drawn now, they do bid. Let the best material win and at the lowest price.

There is no such thing as an Indiana monopoly. I came through the campaign in my State in which I was criticized for voting for granite for the George Rogers Clark Memorial. The architect who designed it, and the supervising architect, said that its artistic properties would be better if it were built of granite, and I voted for granite, and I no doubt lost several votes because I did.

Two years ago we had a fight where limestone had been accepted to build the Boston post office. They wanted to build it out of granite, and the United States would have saved several thousand dollars if built of limestone. Granite was substituted and Indiana lost the contract. I do not believe that any monopoly exists.

Certainly Indiana possesses no such unusual power and influence over Government departments.

We ought not to limit any department in building a public building to material of a particular section. The artistic properties and utility of stone should be considered. Transportation is not the only element of cost that goes into stone. You can not say that stone is necessarily more economical because it lies closer to the project. We ought not to place limitations of this character upon those letting contracts for public buildings.

We have an example here in the Capitol. They built it of Virginia sandstone because it was convenient, and other quarries had not been developed. To-day we regret that a harder and more permanent material was not placed in the Capitol.

Mr. CONNERY. Will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. CONNERY. If the gentleman was in a concern that built 865 buildings and his neighbor in a concern who got 1, who would be the lower bidder?

Mr. GREENWOOD. I would leave it to the department. They are to select from three or four different materials. These specifications are always for alternate materials to get competitive bids.

Mr. KETCHAM. Will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. KETCHAM. Referring to the Boston post office, does not the gentleman recollect there was a saving of \$750,000 coming out of the lump-sum appropriation, and did not that mean that if they had not saved that amount they would have deprived other smaller buildings of that benefit?

Mr. GREENWOOD. Yes; they would have been sacrificed. Why, certainly, the saving would have been made. Because the building program in Washington has largely been of limestone, when it was started with that material, and because many buildings in this group in order to keep them of the same style have been built out of limestone is no reason to conclude at all that Indiana limestone has a monopoly, and it does not have. It is an elegant building stone, reasonable in price and durable for Government projects, and has been accepted frequently because of its better qualities. There have been no subtle or unfair methods used to have it accepted over other stone.

Mr. McCORMACK. Mr. Chairman, I am not interested in this question in to-day's discussion from the angle of the use of granite or the use of limestone, but I am interested in this question from the angle of what I think is a fair policy for the Federal Government to pursue. My friend from Indiana [Mr. GREENWOOD], who has just finished, said this is not a country of sections. That is true, from one angle, but it is not true from other angles. We have a dual system of government. We have the Federal Government and we have the State governments, possessing limited powers of sovereignty, and the best means of expressing public opinion in the United States is through the medium of the local State government. It seems to me that a good, fair, and proper policy for the Federal Government to pursue would be to erect its public buildings in the different sections from the products of those sections—in New England, of New England granite; in Texas, of Texas granite and Texas limestone; and in other sections of the country have them constructed of the products of those sections. Other States in this Union have their products, and it seems to me that the fair policy, consistent with all other elements in a bid, for the Federal Government to pursue would be to have the building constructed of the local product wherever and whenever possible.

Mr. GREENWOOD. Does not the gentleman know that they are doing that to a large extent now?

Mr. McCORMACK. No; I do not. That is what we are trying to bring about.

Mr. GREENWOOD. I think the gentleman will find that we are.

Mr. McCORMACK. In any event, if they are doing it to a large extent, this amendment will do no harm. The amendment is a step in the right direction. It may not be properly expressed, or worded, but, as the distinguished gentleman from New York [Mr. LaGUARDIA] properly said, that can be taken care of in the other body. The principle underlying the amendment is sound. If there is a building to be constructed in Illinois, and that State has its own product, what would Illinois think if a Federal building therein was to be constructed of a product from some other section? Is there not a local pride, and is it not proper that local sentiment and feeling should be regarded and that it should manifest itself in the product that the Federal Government uses in its buildings in the different sections of the country? I think the principle incorporated in this amendment is a sound one, and I hope the amend-

ment will be adopted. It can be amended in proper form in the other body.

Mr. GILCHRIST. Mr. Chairman, this amendment is a limitation upon the use of money. It has nothing to do with anything else. It says nothing about what stone shall be used. It provides that the money shall not be used if it be quarried outside of the section where the building is to be constructed. Assume that there is no stone in the section where the building is to be constructed, and that is not a violent assumption, because it is indeed the very case that I have in mind in my own district in Iowa. There is really no suitable stone in that district. Therefore, under this amendment you can not use a dollar of this money to construct a building in that district or anywhere in the section where I live. This is also true in much of the State of Iowa.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. Yes.

Mr. CONNERY. The gentleman is making a violent presumption in respect to the word "section." In the State of Illinois, if they do not have stone with which to build, they could go to Indiana.

Mr. GILCHRIST. Will the gentleman define the use of the word "section"? Let us suppose that he is the Comptroller General and that he has to define that word.

Mr. BLANTON. Oh, out in Iowa it is where the tall corn grows, and that takes in the big section.

Mr. LOZIER. Is it not true that "section" would be construed in a manner similar to the oil fields—the Continental oil field and the Indiana oil field, and so forth?

Mr. GILCHRIST. Then I answer the gentleman by saying that no one can construe the word "section." The trouble with the amendment is that it can not be given an intelligent construction except one which will hurt the purposes of the bill. It is just like the old remedy we used to have to get the rats out of the barn. You know how to do that. Why, burn the barn. That will get them out. That is the trouble with this amendment. It provides something that the proponents do not really want done. If they would limit their amendment so that it would be workable, I would be willing to vote for it; but read it—it says that no money can be used to build a building in certain sections if the stone is quarried outside of that section. That is exactly what it means; it means that no money can be used to build a public building unless suitable stone is found in the section where the building is located. It means nothing else. If words mean anything, then it will prevent the construction of buildings in many sections of the country which are entitled to them and ought to have them.

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. BYRNS) there were—ayes 39, noes 37.

Mr. BYRNS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. BYRNS and Mr. CONNERY to act as tellers.

The committee again divided; and the tellers reported there were ayes 41 and noes 58.

So the amendment was rejected.

Mr. COCHRAN of Missouri. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN of Missouri: Page 37, line 7, strike out the period, insert a semicolon, and add the following: "Provided further, That no part of this or any other appropriation shall be used to prepare in a Government office blue prints for public buildings other than where the Supervising Architect has prepared the plans."

Mr. BYRNS. Mr. Chairman, I make a point of order that this applies to other appropriations as well as the one under consideration. I will reserve the point of order.

Mr. COCHRAN of Missouri. Mr. Chairman, I have been receiving complaints in reference to the Supervising Architect's Office making all of the blue prints in connection with public buildings. They practically have a blue-print factory in the Office of the Supervising Architect. In my city, St.

Louis, and in all other cities throughout the country, there are large corporations which make blue prints, make them properly, and it seems to me if this House will appropriate \$10,000 for the purpose of investigating the Government in business, the House should do something to take the Government out of business. Here is an opportunity to start something along that line.

The Supervising Architect, under my amendment, can prepare the blue prints in connection with a public building where he prepares the plans, but in so far as the blue prints for public buildings where a private architect is appointed, it seems to me the private corporations in the community should have the benefit of that work.

I wish to say to my colleague from Missouri [Mr. SHANNON] and his associates on the committee that has been investigating the Government in business for the last few months, if you are going to get anywhere as a result of your work, you had better offer some amendment in the form of limitation to these appropriation bills, because you will not get any general legislation for years. Of that I am satisfied. Here is the place to take the Government out of business by placing limitations on appropriation bills.

I think, Mr. Chairman, that my amendment is in order. It is a limitation upon an appropriation, not legislation, that I advance. It appears to me to be clearly in order. It seeks to, in part, reach a situation that the taxpayers are complaining of—too much Government in business.

Mr. BYRNS. Mr. Chairman, I make the point of order on the ground that it changes existing law; that is not a limitation, in that it applies not only to this appropriation but to any other appropriation.

Mr. GOSS. Mr. Chairman, I would like to be heard on the point of order, particularly with reference to the point that the chairman of the Committee on Appropriations has brought up, that this matter involves matters in other appropriation bills.

It seems to me, first of all, that in determining these things we must determine if it is a general appropriation bill, and it is. This bill we are now discussing is the Treasury and Post Office appropriation bill. There is no rule that would prevent the Committee on Appropriations from bringing in one bill that would make appropriation for all 10 of the general appropriation bills. Therefore it seems to me that the matter covered in the bill, where there is more than one department involved, is proper, and the point of order would not be good against it. However, if the appropriation was on an appropriation bill involving only one department, then the point of order would be good; but, as stated before, there is no rule that would stop them from coming in with all the bills in one bill. Therefore I think the point of order is not germane to this particular amendment.

Mr. COCHRAN of Missouri. I would like to invite the Chairman's attention to the fact that the bill we are now considering, the sections we are now considering, is the only appropriation bill wherein appropriations are made for the Supervising Architect's Office, other than the deficiency appropriation bill. My amendment is purely a limitation not near so drastic as the amendment that the Chair a few minutes ago held in order. It is not legislation; it is a limitation. It leaves the way open for the Supervising Architect to secure the necessary blue prints, but he must procure them from a blue-print manufacturer and not through his blue-print division if the building under construction is being handled by an outside architect. I think that is fair to the department. I hope the Chair will permit a vote upon my amendment, which means so much to the private business firms that make blue prints and, I might also say, pay taxes to the Government.

The CHAIRMAN (Mr. McMILLAN). The amendment offered by the gentleman from Missouri, as the Chair understands it, provides that no part of this or any other appropriation shall be used to prepare, in a Government office, blue prints, and so forth. The Chair thinks that the point of order made by the chairman of the Committee on Appropriations is well taken, in that the amendment seeks to restrict funds already appropriated as well as those carried in



the pending bill. The Chair is of opinion that the language in the amendment which affects other appropriations than the pending one constitutes legislation on an appropriation bill and, therefore, is not in order. The Chair sustains the point of order made by the gentleman from Tennessee.

Mr. BYRNS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. McMILLAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes, had come to no resolution thereon.

#### ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 503. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1932, on the 20th day of that month.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3532. An act to authorize the Commissioners of the District of Columbia to readjust and close streets, roads, highways, or alleys in the District of Columbia rendered useless or unnecessary, and for other purposes.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—  
Mr. JOHNSON of Missouri, on account of illness.

Mr. LINDSAY, for an indefinite period, on account of illness.

#### CALENDAR WEDNESDAY

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday may be dispensed with to-morrow.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### THE LATE HON. DANIEL E. GARRETT, OF TEXAS

Mr. JONES. Mr. Speaker, it becomes my sad duty to announce the death of my colleague, Congressman DANIEL E. GARRETT, of Texas.

Mr. GARRETT was one of the most popular Members of the House, a gentleman by birth, breeding, and culture. At the same time he was a loyal and devoted public servant. Throughout a long and distinguished public career he had the confidence and esteem of every Member of the American Congress. His death is a loss to the Nation.

Mr. Speaker, I offer a resolution, which I send to the desk.  
The Clerk read as follows:

#### House Resolution 320

*Resolved*, That the House has heard with profound sorrow of the death of Hon. DANIEL E. GARRETT, a Representative from the State of Texas.

*Resolved*, That a committee of 12 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent funds of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The Chair appointed the following committee on the part of the House: Mr. RANSLEY, Mr. BLANTON, Mr. PURNELL, Mr. GREENWOOD, Mr. HILL of Alabama, Mr. JOHNSON of Texas, Mr. McREYNOLDS, Mr. COX, Mr. PATMAN, Mr. FERNANDEZ, Mr. KLEBERG, and Mr. THOMASON.

The SPEAKER. The Clerk will conclude the reading of the resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### ADJOURNMENT

Accordingly (at 4 o'clock and 18 minutes p. m.), pursuant to the order heretofore made, the House adjourned until to-morrow, Wednesday, December 14, 1932, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Tentative list of committee hearings scheduled for Wednesday, December 14, 1932, as reported to the floor leader:

#### WAYS AND MEANS

(10 a. m.)

Continue hearings on beer bill.

#### EXPENDITURES

(10 a. m.)

Hearings on consolidation of governmental activities.

#### SHANNON SPECIAL COMMITTEE

(10 a. m.)

Continue hearings on Government competition with private enterprise.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

802. A letter from the acting chairman of the Interstate Commerce Commission, transmitting pursuant to law report on what would be the effect upon operation, service, and expenses of applying the principle of a 6-hour day in the employment of all classes and each particular class of railway employees because of such application (H. Doc. No. 496); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

803. A communication from the President of the United States, transmitting supplemental estimate of appropriation pertaining to the legislative establishment, United States Senate, for the fiscal year 1933 (H. Doc. No. 497); to the Committee on Appropriations and ordered to be printed.

804. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1933 for the Department of Agriculture for payment of \$66 to Charles Lamkin, of Banning, Calif., as authorized by Private Act No. 159, Seventy-second Congress, approved July 13, 1932 (H. Doc. No. 498); to the Committee on Appropriations and ordered to be printed.

805. A letter from Gorgas Memorial Institute, transmitting report from the Gorgas Memorial Institute of Tropical and Preventive Medicine (Inc.), covering the activities of the Gorgas Memorial Laboratory in Panama for the period November 1, 1931, to October 30, 1932 (H. Doc. No. 499); to the Committee on Foreign Affairs and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McLEOD: A bill (H. R. 13600) to restore the rights of certain World War veterans to renew their 5-year level premium term Government insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. EVANS of Montana: A bill (H. R. 13601) authorizing the Secretary of the Interior to classify as to productivity and irrigability lands within the Flathead irrigation project, and to adjust payments thereon; to the Committee on Indian Affairs.

By Mr. BANKHEAD: A bill (H. R. 13602) providing for regulation of the transportation of cotton and wheat in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. HUDDLESTON: A bill (H. R. 13603) to create a Federal emergency relief commission, and for other purposes; to the Committee on Labor.

By Mr. ROMJUE: A bill (H. R. 13604) to authorize the Secretary of War, upon the recommendation of the Chief of Engineers, to adjust, settle, and pay claims of drainage districts and levee districts for damages on account of increased seepage and/or increased cost of drainage resulting from certain improvements on the Mississippi River; to the Committee on Rivers and Harbors.

By Mr. WASON: A bill (H. R. 13605) to authorize the distribution of Government-owned cotton to the American National Red Cross and other organizations for the relief of distress; to the Committee on Agriculture.

By Mr. SUTPHIN: A bill (H. R. 13606) providing for the examination and survey of the Keyport (N. J.) Harbor; to the Committee on Rivers and Harbors.

By Mr. JONES: A bill (H. R. 13607) to authorize the distribution of Government-owned cotton to the American National Red Cross and other organizations for relief of distress; to the Committee on Agriculture.

By Mr. CAMPBELL of Iowa: A bill (H. R. 13608) to repeal the tax on bank checks; to the Committee on Ways and Means.

Also, a joint resolution (H. J. Res. 506) to amend the Constitution of the United States; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 13609) granting an increase of pension to Jennie E. Hawley; to the Committee on Invalid Pensions.

By Mr. BLACK: A bill (H. R. 13610) for the relief of the Great American Indemnity Co. of New York; to the Committee on Claims.

Also, a bill (H. R. 13611) for the relief of the Great Falls Meat Co., of Great Falls, Mont.; to the Committee on Claims.

Also, a bill (H. R. 13612) for the relief of Capt. George W. Steele, jr., United States Navy; to the Committee on Claims.

Also, a bill (H. R. 13613) for the relief of Lieut. Col. Russell B. Putnam, United States Marine Corps; to the Committee on Claims.

By Mr. BOEHNE: A bill (H. R. 13614) granting an increase of pension to Rebecca Berry; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Iowa: A bill (H. R. 13615) for the relief of E. R. Bender; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 13616) for the relief of Cairo Davis; to the Committee on Military Affairs.

By Mr. EVANS of California: A bill (H. R. 13617) for the relief of Howard William Linsley; to the Committee on Naval Affairs.

By Mr. FULLER: A bill (H. R. 13618) granting an increase of pension to R. D. Jordan; to the Committee on Pensions.

By Mr. GAMBRILL: A bill (H. R. 13619) for the relief of the Sanford & Brooks Co.; to the Committee on Claims.

By Mr. GARBER: A bill (H. R. 13620) for the relief of Lewis Weythman; to the Committee on Military Affairs.

Also, a bill (H. R. 13621) granting an increase of pension to Nira Pickinpaugh; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 13622) for the relief of William J. Carter; to the Committee on Naval Affairs.

By Mr. GUYER: A bill (H. R. 13623) granting an increase of pension to Lydia Effie Chace; to the Committee on Invalid Pensions.

By Mr. HORNOR: A bill (H. R. 13624) granting an increase of pension to Julia A. Zinn; to the Committee on Invalid Pensions.

By Mr. HARTLEY: A bill (H. R. 13625) for the relief of John N. Caffrey; to the Committee on Naval Affairs.

Also, a bill (H. R. 13626) for the relief of George T. Eayres; to the Committee on Military Affairs.

By Mr. HOLLISTER: A bill (H. R. 13627) authorizing the President to order William H. Hoblitzell before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 13628) granting a pension to Ada Ray Johnson; to the Committee on Pensions.

By Mr. JONES: A bill (H. R. 13629) for the relief of John F. Cain; to the Committee on Claims.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13630) granting an increase of pension to Eunice F. Brown and a pension to Ruth M. Brown; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 13631) granting an increase of pension to Frances S. Williams; to the Committee on Invalid Pensions.

By Mr. LAMNECK: A bill (H. R. 13632) granting an increase of pension to Mary A. Canfield; to the Committee on Invalid Pensions.

By Mr. McLEOD: A bill (H. R. 13633) granting an increase of pension to Grace E. Grinstead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13634) for the relief of Louis J. Rivard; to the Committee on Military Affairs.

By Mr. MARTIN of Massachusetts: A bill (H. R. 13635) for the relief of Ernest F. Walker, alias George R. Walker; to the Committee on Military Affairs.

By Mr. MOORE of Ohio: A bill (H. R. 13636) granting an increase of pension to Ceola Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13637) granting a pension to Newton W. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13638) granting a pension to Caroline Cochrel; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 13639) granting a pension to George Scace; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 13640) granting an increase of pension to Carrie R. Barber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting an increase of pension to Ella Sebring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13642) granting an increase of pension to Ella J. Winegar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13643) granting an increase of pension to Catherine E. Morley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13644) granting an increase of pension to Irena L. Lynch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13645) granting an increase of pension to Emma S. Dolaway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13646) granting an increase of pension to Sarah L. Knickerbocker; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13647) granting a pension to Nelle J. Muhn; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 13648) authorizing the grant of certain public lands in Imperial County, Calif., to Irene Elizabeth Capron, in fulfillment of a prior agreement of exchange; to the Committee on the Public Lands.

By Mr. VINSON of Georgia: A bill (H. R. 13649) granting six months' pay to Minnie L. Johnson; to the Committee on Claims.

By Mr. WOOD of Indiana: A bill (H. R. 13650) granting an increase of pension to Frances Conley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13651) granting an increase of pension to Esther J. Cornell; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8873. By Mr. BLAND: Petition of 12 citizens of Hampton and Phoebus, Va., urging passage of the "Stop alien repre-



sentation amendment to the United States Constitution," to cut out the 6,280,000 aliens in this country, and count only American citizens when making future apportionments for congressional districts; to the Committee on the Census.

8874. By Mr. BLOOM: Petition of the officers and members of the New York State Ladies' Auxiliary to the New York State Association of Letter Carriers, urging the repeal of the unjust and inequitable economy act as a step in the direction of restoring prosperity and as an act of simple justice to the underpaid, faithful employees of the Government; to the Committee on Ways and Means.

8875. By Mr. BOYLAN: Resolution adopted by the Civil Service Forum, of New York, N. Y., protesting against the unjust and unfair results of the payless furlough plan of the economy act; to the Committee on Ways and Means.

8876. Also, resolution adopted by the Linnaean Society of New York, urging upon the Special Senate Committee on Conservation of Wild-Life resources the desirability of the establishment of Admiralty Island as a wild-life sanctuary; to the Committee on Agriculture.

8877. By Mr. CHRISTOPHERSON: Petition of Hutchinson County Farmers Union, South Dakota, urging extension of seed loans or acceptance of produce in payment; to the Committee on Agriculture.

8878. By Mr. CONDON: Petition of Thomas E. Flynn and 205 other citizens of Rhode Island that no repeal or modification of existing legislation beneficial to Spanish War veterans, their widows, or dependents, be made; to the Committee on World War Veterans' Legislation.

8879. By Mr. CRAWL: Petition of several citizens of Los Angeles County, Calif., protesting against any change that will legalize the sale or manufacture of light wines and beer; to the Committee on Ways and Means.

8880. Also, petition of mass meeting of Philippine citizens, through Attorney Felino Cajucom, of Manila, P. I., demanding immediate freedom of the Philippine Islands; to the Committee on Insular Affairs.

8881. By Mr. FREAR: Petition of Womans Missionary Society of the Methodist Episcopal Church of Chippewa Falls, Wis., requesting that Federal motion-picture commission be established; to the Committee on Interstate and Foreign Commerce.

8882. Also, petition of Pure Milk Products Cooperative, requesting that a moratorium on farm mortgages be declared until the necessary machinery can be set up by the Government to reduce the rate of interest on farm mortgages; to the Committee on Agriculture.

8883. By Mr. GARBER: Petition urging support of Senate bill 4646 and House bill 9891; to the Committee on Interstate and Foreign Commerce.

8884. By Mr. LAMBERTSON: Petition of President J. L. Howe, of Highland College, and 258 other citizens of Highland, Kans., opposing any modification or nullification of the Volstead Act and requesting that any referendum be by State conventions composed of delegates selected by the qualified electors of the respective States; to the Committee on the Judiciary.

8885. By Mr. LINDSAY: Petition of the Linnaean Society of New York, New York City, urging conservation of wild-life resources and the establishment of Admiralty Island as a wild-life sanctuary; to the Committee on Agriculture.

8886. Also, petition of Civil Service Forum, New York City, protesting against the payless-furlough plan of the economy act; to the Committee on Ways and Means.

8887. By Mr. RICH: Resolution adopted by Women's Missionary Societies of the Pine Street Methodist Episcopal Church of Williamsport, Pa., in support of legislation to establish a Federal motion-picture commission; to the Committee on Interstate and Foreign Commerce.

8888. By Mr. RUDD: Petition of the Linnaean Society of New York, favoring the establishment of Admiralty Island as a wild-life sanctuary; to the Committee on Agriculture.

8889. Also, petition of Civil Service Forum, city of New York, favoring the repeal of the furlough plan of the economy act; to the Committee on Ways and Means.

8890. By Mr. SPARKS: Petition of the J. C. C. Club (Federated), of Oberlin, Kans., for the retention of the eighteenth amendment and the Volstead Act, and opposition to any weakening of our present prohibition laws, submitted by Mrs. J. D. Bowles and Mrs. Francis Anderson and signed by 22 others; also petition of citizens of Lucas, Kans., for nonrepeal and favoring of the eighteenth amendment, submitted by Mrs. M. G. Rodrick and Mrs. Joe Walmer, and signed by six others; to the Committee on the Judiciary.

8891. Also, petition of the Harlan Woman's Missionary Society, of Harlan, Kans., against modification of the Volstead Act, submitted by Mrs. Bessie E. Nichols and Mrs. J. S. Anderson and signed by 13 others; also petition of citizens of Ogallah Township, Kans., against the legalization of beer, submitted by Mr. and Mrs. W. P. N. Hauson and Mr. S. S. Harvey and signed by 15 others; to the Committee on the Judiciary.

8892. By Mr. STEWART: Petition of residents of fifth New Jersey congressional district, favoring passage of House Joint Resolution No. 97, proposing to amend the Constitution to exclude aliens in counting the whole number of persons in each State for apportionment of representatives; to the Committee on the Judiciary.

8893. By Mr. STRONG of Pennsylvania: Petition of Woman's Christian Temperance Union of Juneau, Indiana County; Roxbury Methodist Episcopal Sunday School, of Johnstown; John D. Galbreath Adult Bible Class of the First Presbyterian Church of Kittanning; Woman's Christian Temperance Union of Manorville; citizens of Plumville; citizens of Cloe, Jefferson County; Bethany Bible Class and the Men's Bible Class of the First Methodist Episcopal Church of Punxsutawney; citizens and members of Woman's Christian Temperance Union of Punxsutawney, all of the State of Pennsylvania, opposed to any change in the eighteenth amendment or the Volstead Act; to the Committee on the Judiciary.

8894. Also, petition of citizens of Apollo; temperance committee of the Methodist Episcopal Church of Apollo; citizens of Corsica; Woman's Christian Temperance Union of Ford City; Sabbath school of the First Methodist Episcopal Church of Ford City; United Presbyterian Church of Heshbon, Indiana County; Woman's Christian Temperance Union of Homer City; Methodist Episcopal Church of Homer City; Lutheran Church of Homer City; United Presbyterian Church of Homer City; the Presbyterian Church of Homer City; Bethel Presbyterian Church of Center Township, Indiana County; and the Kenwood Woman's Christian Temperance Union of Indiana County, all of the State of Pennsylvania, opposed to any change in the eighteenth amendment or the Volstead Act; to the Committee on the Judiciary.

8895. By Mr. SUTPHIN: Memorial of the New Jersey Branch, Second Division, Railway Mail Association, making recommendations to Congress in behalf of postal employees; to the Committee on Ways and Means.

8896. By Mr. WASON: Petition of Christiana A. Smith and 21 other residents of Franklin, N. H., who urge the passage of the "stop alien representation" amendment to the United States Constitution, to cut out the 6,280,000 aliens in this country, and count only American citizens when making future appointments for congressional districts; to the Committee on Immigration and Naturalization.

8897. By Mr. WELCH: Petition of the Epworth Methodist Episcopal Church, of San Francisco, Calif., urging passage of Senate Resolution 170, regulating the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

8898. By Mr. WEST: Petition of 56 citizens of Delaware, Ohio, urging passage of "stop alien representation" amendment to the United States Constitution, to cut out the 6,280,000 aliens in this country, and count only American citizens when making future apportionments for congressional districts; to the Committee on Immigration and Naturalization.